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HOUSE OF REPRESENTATIVES—Wednesday, January 26, 1972

The House met at 12 o'clock noon.

Bishop Basil H. Losten, Immaculate Conception Ukrainian Catholic Cathedral, Philadelphia, Pa., offered the following prayer:

Almighty and Eternal God, in whose dominion are the authority and the rights of all humanity, look with favor upon those who are in authority over us, that throughout the world, religion and national security may have a firm and lasting foundation.

We beseech You, O God, to assist with Your holy spirit of counsel and fortitude, the President of the United States.

Let the light of Your divine wisdom direct the deliberations of our esteemed Congress, in their laws and enactments, so that they tend to the strengthening of peace, perpetuation of equal liberty, and the promotion of the national welfare. We recommend to Your unbounded mercy, O Lord, the welfare of the Ukrainian nation, so that it may enjoy the freedoms that are so abundantly evident here in the United States of America. We pray that the blessings of democracy may be shared by Ukraine, joining the great family of free nations of the world in the advancement of national harmony and world peace.

We ask Your indulgence, O Lord, for all those who have passed into eternity, especially for those whose sacrifice of life and all human aspirations emphasized the fervent desire of all mankind to achieve peace among all nations. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

TRIBUTE TO THE LATE HONORABLE CARL HAYDEN, FORMER SENATOR FROM ARIZONA

(Mr. UDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. UDALL. Mr. Speaker, Carl Trumbull Hayden is dead. The account of this grand gentleman's career offered here is lengthy. And with his passion for economy—including the need to keep down the length of the CONGRESSIONAL RECORD—Carl Hayden would have bridled at the Congress for devoting this space

to him. But from his life are very important lessons to be learned by the country, its scholars, and people in every walk of life.

When Carl Hayden announced his retirement from public service in May 1968 he quoted the book of Ecclesiastes, "There is a time to stand and a time to step aside." And so he voluntarily ended his congressional career after serving the State of Arizona on Capitol Hill for over 57 years. Once again, today we sadly recall the wisdom of the Preacher. Today is a time to mourn. Those who mourn him include officers in the Federal Government, State government officials, numerous leaders in private life and countless citizens in Arizona and elsewhere who, through the years, have been influenced, guided, and inspired by him. My association with Senator Hayden has been one of the most valuable and memorable experiences of my life. My distinguished colleague in the Senate, BARRY GOLDWATER, once remarked:

There are no words or any eloquence which I could use to express my respect for this lifelong friend—both words and eloquence have been exhausted. Let me put it this way: whenever my service in Congress is terminated I hope that my service to my country and my state equals a small fraction of what Carl Hayden has provided in both areas.

To these thoughts I extend my full agreement.

Carl Hayden bridges the history of our country when the present became our past and the future became our reality. In no small measure, the story of the senior Senator's life is the story of America in the past century. His life reflects the transformation of the West from frontier territory to modern society. Born in 1877, he was a man who knew fresh memories of the Civil War and Custer's last stand. He lived when the population of the United States was one-fourth of its present size, when the first airplane had not yet flown, the first gas engine had not yet turned, the electric streetcar and the automobile had not moved, at a time when movies and radios had yet to be experienced, and when penicillin and atomic energy were generations away. His life spanned the Appaloosa to Apollo 11. His deeds are his monuments to history and to the prosperity of this Nation. Senator Hayden's primary concern lay in improving the internal conditions of the country, especially the West. Efficient roads, numerous dams, military bases, and his triumph, the central Arizona project, serve to remind us of Carl Hayden's stamp on the American landscape. He was instrumental in acquiring

new railroads, securing a Federal Highway System, and in constructing Coolidge Dam and the Grand Canyon National Park. As the late John Kennedy said:

Every Federal program which has contributed to western irrigation, power, and reclamation bears Carl Hayden's mark.

A laconic man, a man who believed that "when you have the votes, don't talk," Carl Hayden was not noted for bombastic speeches on the Senate floor. He preferred to keep words to a minimum and let his actions speak for him. Perhaps today it would be fitting to let Carl Hayden tell his own story. Perhaps we can recall some of the most significant aspects of his long and fruitful life by using Carl as his own biographer.

Hayden was born on October 2, 1877, at Hayden's Ferry, Ariz. Hayden's Ferry later became Tempe, home of Arizona State University. His first and only childhood hero was his father, Charles, a Yankee trader from Connecticut. Throughout his life, Carl spoke fondly about his father and in 1967 wrote this recollection about the man:

If you want to know about a real Westerner, let me tell you about my father, Charles Trumbull Hayden, a Connecticut Yankee, who, as a young man, became a trader at Independence, Missouri. He bought goods in the East which were shipped by steamboats down the Ohio and up the Mississippi and Missouri Rivers to Independence. There was no Kansas City at that time.

He left Independence in 1848, with ox teams loaded with a stock of goods and established a store in Santa Fe. The next year he brought out a larger stock of goods which he sold at a handsome profit to the 49'ers who came there after gold was discovered in California.

For the next fifteen years he traded from Santa Fe down the Rio Grande and on to the City of Chihuahua in Mexico. On one trip he had to wait until a battle between two rival governors was over when he brought a number of the wounded into the City in his wagons.

In 1860 gold was discovered at Pinos Altos in what is now Southwestern New Mexico. I will read statements from an article in the Panhandle-Plains Review for 1928, entitled, "Memoirs of Hank Smith."

"The Apaches had followed up back and made a raid on the Mexican settlers on the head of the Rio Mimbres, who had a number of irrigated farms and a big crop of corn. The Mexicans sent for help to the Pinos Altos mines to help save their crop from the Indians, but help came too late. The Indians had gotten all the corn and run the Mexicans off to the Santa Rita copper mines, where we found them."

"Charles Hayden had just arrived from the Rio Grande with a train load of mining material. The Mexicans employed him to take

them back to the Rio Grande. He loaded them up and pulled out for White Water, twelve miles below the copper mines, making camp about three o'clock in the evening.

"About day break the next morning the Apaches attacked the train and Charles Hayden had just time to get his mules into the corral, and saved them. The Indians killed two young white men that had worked at the copper mines. The Indians made spread eagles of the men in sight of Hayden's camp and tortured them to death, shooting and lancing them and taking the whole scalp.

"The men at camp could not help them on account of a ravine where the Indians done the killing—the wagons being on a flat, so that their fire would not reach the Indians under the hill. We arrived after the killing of the two boys. We buried them where they lay and made Hayden hitch up his teams, and started with the outfit to the Hot Springs where the whole outfit would be safe from attack from the Indians, as Indians are very superstitious about Hot Springs."

Not long afterwards, my father was again in Southwestern New Mexico, when he detached a trail wagon and six mules from his train to deliver some supplies to a nearby mining camp. He sent two men along with the driver. On returning with the empty wagon, they found their way blocked by a large pile of brush that had been set afire by the Apaches at a place where the road went through a narrow pass between two hills.

The driver saw that he would have difficulty in getting the mules to haul the wagon through the fire, so he unhitched them. Each man mounted one mule and led the other. They rode around the fire and went through the pass as quickly as they could. Many shots were fired at them by the Indians who were evidently not good marksmen. The only injury they incurred was the loss of a finger that was hit by a bullet when one of the men held his hand up above his head.

None of the mules, which the Indians wanted more than anything else, since they enjoyed eating mule meat, was seriously hurt. Mr. Hayden learned that the Apaches had set fire to the wagon so made no attempt to recover it.

It was probably during this same period that my father killed an Apache under the following circumstances: After delivering a trainload of supplies, he obtained a return cargo of shorn wool in long sacks. His wagons, as usual, had been parked in a circle for the night with the mule teams and the bell mare inside. Instead of sleeping on the ground, he made his bed on top of a load of wool, taking with him his rifle and a fine shepherd dog.

After dark an Apache crawled in the grass from the west and apparently was waiting for the moon to rise so that he could take good aim at my father on the skyline. The dog suddenly jumped from the wagon, the Apache fired at the dog, revealing his hiding place so that my father could shoot him.

On another occasion a group of Apaches appeared on the top of a hill not far from where his wagon was parked. From what they thought was a safe distance, the Indians cursed the men and dared them to come out and fight. My father had recently returned from the East where he had been presented with a new Sharps rifle. Becoming tired of their abuse, he decided to see if a bullet would drive them off. Resting his rifle on the rear wheel of a freight wagon, he took careful aim and fired. All of the Apaches promptly disappeared except one who limped as he went away.

Not long afterwards, on a return trip from Chihuahua, when his long train of wagons had been parked in a circle, a large band of mounted Apaches appeared. A group of them tied up their horses, approached the wagons on foot, and said that they wanted to talk. They were permitted to come in. They told the drivers, all of whom were New

Mexicans, that my father had wounded one of their Chiefs and that if he were given to them, they would let the train go without an attack. They then left, saying that they would return later for an answer.

Some of the drivers favored turning my father over to the Indians, but the wagon master would not agree. He ordered all of them to conceal their weapons under their blankets, where they were sleeping on the ground, and to fire on the Apaches when he did.

What finally happened that night is indicated by a statement in a report on Indian depredations and military operations in New Mexico in 1863, made by Captain Ben C. Cutler, Assistant Adjutant General:

"In May, Charles T. Hayden, citizen, reports that Indians attacked his train near the line of Chihuahua; they were defeated with a loss of eleven killed, including the renowned Copiggan. Three horses were captured in this fight."

In a letter addressed to Brigadier General Joseph R. West, on May 30, 1863, Brigadier General James H. Carleton stated:

"Mr. C. Trumbull Hayden seems to have done well in helping punish these savages who delight in roasting their victims." (From the CONGRESSIONAL RECORD, vol. 113, pt. 13, pp. 17422-17423.)

Most of young Carl's life was spent around the Hayden farm which was located on a bluff over the Salt River in Tempe. It was rural, good farmland and the boy developed an appreciation for the soil which rarely happens when one is a son of the desert. Carl went to the Tempe public schools and graduated from Arizona Territorial Normal School in 1896. Of his college years, he later wrote:

My father, who was a well educated man, decided that I should go to Stanford University. In September, when I presented my Normal School records to the Registrar, he informed me that I had only eight entrance credits and twelve were required for admission to the University. He then softened the blow by saying that I would be permitted to register as a special student and that I could remain as long as I made a passing grade in all my classes, every hour, every semester.

It is needless to say that I did not take Latin, Greek, or mathematics. I devoted my time to courses in economics, history and English. The only exception was a course in elementary geology under Doctor John Casper Branner.

I came to the University wearing a cowboy hat and corduroy trousers. I lived in Encina Hall and nobody paid any attention to me. After some time, I wrote to my mother saying that if she wanted her boy to look like other boys she would send me some money. When it came, I went to San Francisco, where I obtained skin-tight pants, high roll-down collars, and all the other things that a young man then should wear. Immediately afterwards, I received invitations to visit fraternity houses, all of which were declined. I remained a "barbarian" so long as I was a member of the student body.

When I came to the University, I weighed about 130 pounds, so I went to the "gym" to build up my weight, where Tom Storey put me to pulling up chest weights. I tried the track, but my legs were too short to be a sprinter or a hurdler. I later got on the football second team where I played center. In time, I weighed 180 pounds.

In my junior year, I played in a practice game against the Olympic Athletic Club in San Francisco. The opposing center was a big, bull-necked man. When I had my head down as I passed the ball to the quarterback, he placed his big hands on my head and

twisted my neck. So, when his head was down, I hit it with my knee and knocked him groggy. I then reflected on his ancestry and told him that he must play like a gentleman.

After that, we got along very well and at the end of the game, when I went to the showers, I asked who was that fellow who played against me. To my surprise, I then learned that he was Jack Monroe, who had fought in Butte, Montana, with Jim Jeffries, who soon afterwards became the heavyweight world champion prize fighter.

I did not take part in another practice game in San Francisco, when the mistake was made of bringing along the first Stanford axe. When the game was over and we were leaving the grandstand, the axe was handed to me to take back to the campus. I only had a few companions with me and we had not walked very far when we were surprised and surrounded by a mob of students from Berkeley. We put up a good fight. I knocked one man down with my fist, but they overpowered us and got away with the axe.

Based upon information that the axe could be found in a fraternity house, I went over to Berkeley one night with some others and raided the place, but our search disclosed that it was not there. After a lapse of years, I was pleased to learn that, as a token of good will, the axe was returned to Stanford.

Anthony Henry Suzzalo, who afterwards became President of the Washington State University, was for a time my roommate in Encina. We were members of a Debating Society, and were chosen to represent Stanford in both the Intercollegiate and Carnot Debates. He was a natural orator and I doubt if I could have made either of them without his help.

In 1899 I came home for Christmas. My father became ill and passed away in February, 1900. I had to take charge of his flour mill, general merchandise store, and some farm properties so I could not return to Stanford. Later, I had an opportunity to turn over the mill at a good rental which made it possible for my mother to go to Palo Alto with my two sisters who became students at the University. (Stanford address, CONGRESSIONAL RECORD, vol. 113, pt. 8, p. 10607.)

Stanford remembered its famous Arizona alumnus in 1967 by presenting him with the Herbert Hoover Medal for Distinguished Service in 1967. During his lifetime Carl Hayden was awarded an honorary doctorate of laws from both of Arizona's great universities—University of Arizona at Tucson and Arizona State University at Tempe.

After returning home from school in 1900, Carl got interested in Arizona affairs. Instead of money, Carl's father left him a valuable political legacy. Charles Hayden had been a very popular man in Phoenix, sought after by both political parties. In leaving his son, Carl, the Hayden name, Carl's future in local politics was assured to be promising. "Hayden went into politics because his dad died broke," says his one-time administrative assistant, Paul Roca. "In those days you could make a good living as a public official." Carl Hayden was easily elected to the Tempe Town Council in 1902, as treasurer of Maricopa County in 1904, and to sheriff of that county in 1906. Around the same time, Carl got interested in the Democratic Party. In Arizona, Republicans were considered carpetbaggers, even in those days Arizonans had a slight southern drawl. The Haydens, both father and son, knew that if one wanted to get ahead in poli-

tics, he had to be a Democrat in Arizona. Nowadays that is not quite as true. Over 60 years later, Carl recalled his first Democratic Convention:

In 1904, I was selected at a Territorial Convention in Tucson to be a delegate to the Democratic National Convention held in St. Louis, Missouri, to nominate a candidate for President. I was made the Chairman of the delegation and performed my duty by standing on a chair and saying in a loud tone of voice, "Arizona casts four votes for William Randolph Hearst." (Stanford address.)

On the job, Hayden admitted that he did not quite fit the stereotype of the frontier sheriff:

I never shot at anyone and nobody ever shot at me. About the nearest I ever came to shooting was the day I identified a horse thief who was supposed to be badly wanted in Utah, Colorado, and Wyoming.

I found him standing at a bar. I stuck my gun in his back, took his pistol away from him. To give me time to notify law officers in the other states the justice of the peace put him in jail for ten days on a concealed weapons charge. They weren't interested enough to come and get him, so I turned him loose at the end of ten days. I told him that as long as he didn't steal any horses in Arizona it was all right with me.

(From an interview with Senator Hayden published in the Los Angeles Times, Jan. 5, 1967, pp. 34, 35, by Nick Thimmesch.)

His sheriff's position afforded him the opportunity of meeting other influential Arizonans. He joined the National Guard and soon rose to the rank of captain:

I was elected to be the Captain of Company C, National Guard of Arizona, at Tempe. We cleared off the sagebrush from a thousand-yard rifle range and, by target practice, in the course of time about half of the Arizona Rifle Team at the National Rifle Matches at Camp Perry, Ohio, consisted of members of my Company. With them, I became a fairly good rifleman—good enough to shoot a possible at 900 yards. (Stanford address.)

While training at Camp Perry for the third time in the fall of 1911, Hayden read in a newspaper that President Taft declared that as soon as Arizona adopted a constitution, it could become a State. Hayden sought Arizona's only congressional seat:

I left for home, and with the support of only one weekly newspaper, I won the Democratic nomination for Member of Congress over two very able opponents. (Ibid.)

Hayden campaigned in the old style. He visited all his guard friends across the State, as well as all the county court-houses and sheriff offices, and concluded his campaign with a rally in Phoenix. On December 9, 1911, 3 days before the election, the Arizona Gazette told how—

600 persons, all the airmen would hold, turned out for that popular townsman Carl Hayden. (Thimmesch interview, p. 35.)

In an editorial printed in support of Hayden's candidacy in 1911, the Arizona Gazette showed prophetic wisdom:

Carl Hayden will make the best Congressman that Arizona will ever send to Washington. A man of sterling character, sound convictions and dominating personality, Hayden will make himself known in the halls of Congress. He will accomplish a vast amount of good for Arizona. Hayden is a born fighter and he will not allow the interest of the new state to be overlooked.

Hayden is young in years and in full perfection of sturdy manhood. He is a native son of Arizona. His father was an Arizona pioneer. Pulsating through Hayden's blood is the innate love for his mother state, that ranks second only to the holy tie that binds between offspring and parent.

Hayden has tramped over Arizona from the Grand Canyon to the tropic land of Santa Cruz. To Hayden, there is not a spot in all the state that does not teem with a thousand pregnant possibilities. He knows the mineral wealth; the timber wealth. He knows the ranges over which browse the lazy herds of sheep and cattle. Hayden knows the needs of every county and knows them well. (From the CONGRESSIONAL RECORD, vol. 114, pt. 9, p. 11984.)

When the final votes were tallied, Hayden got 11,556 votes and Jack Williams, his Republican opponent from Tombstone received 8,485. Women and Indians did not vote then and this accounts for the relatively small turnout. Hayden came to Washington in February of 1912; 60 years later, Hayden recounted the first piece of political advice he ever heard on Capitol Hill:

Without any legislative experience, I became a Member of the House of Representatives on February 19, 1912. When Congress was about to adjourn, Dorsey W. Shackelford, a Member from Missouri, gave me some good advice by saying, "When you go home you will be a Congressman; but you have not yet learned how to be one. Shake hands as you go along the streets, but if anyone stops to ask you about some piece of legislation, say that you must go on to keep an appointment. If you stop and talk to him, he will soon find out that you do not know any more than he does." (Stanford address.)

Carl Hayden made his first speech in Congress on March 11, 1912. In a simple, yet eloquent style, Hayden argued in favor of more Federal expenditures for national forest fighting—one of the positions he maintained throughout his life:

MR. HAYDEN. Mr. Chairman, owing to the long and unnecessary delay in the admission of the State of Arizona, I was not a Member of this House at the time this bill was reported, and I had not an opportunity to appear before the Committee on Agriculture when this item was under discussion. I want to read from a letter which I received recently from Mr. Graves, the Forester, concerning this item in the bill. He says:

"The appropriation bill for the current year carries \$500,000 for improvement work. This fund is for the construction of trails, fire lines, telephone lines, ranger cabins, bridges, roads, and other permanent improvements. The money is being mainly expended for the construction of such improvements as are needed for the prevention of forest fires. The national forests are still without adequate means of transportation and communication, and this is the greatest difficulty in fire prevention. At the present rate of expenditures it will take fully 15 years to complete the primary system of roads, trails, and other improvements necessary for fire prevention. A curtailment of this work is therefore exceedingly serious in the development of the national forests."

Let me also read from the hearings:

"THE CHAIRMAN. The next item is:

"For the construction and maintenance of roads, trails, bridges, fire lanes, telephone lines, cabins, fences, and other permanent improvements necessary for the proper and economical administration, protection, and development of the national forests, \$500,000."

"What do you say, inasmuch as that was increased so much last year, to giving you \$300,000 this year?"

"MR. GRAVES. That will be a question of consideration of public policy, of how rapidly it is desired to extend the work of the permanent improvements which are necessary to put the forests in shape for protection. In this connection I would like to call the attention of the committee to the fact that the forests are still very inaccessible; that there are vast areas we can not get into for proper patrol or to transport men; and until we do make them accessible there is always going to be the chance for fires starting at a remote point and getting such a start that before we get to them they are almost beyond control."

I ask you to note that the present amount carried in the bill is \$275,000, being \$25,000 less than the amount suggested by the chairman at the hearings.

As I understand it, Mr. Chairman, the primary purpose of the Forest Service is fire protection. If the forests burn, there will be no timber to sell, the regular flow of the streams will be diminished, and the value of the reserves for grazing purposes will also be cut down. The secondary purpose of the Forest Service is to make the resources of the forest available for use, such as the sale of timber, the granting of grazing permits, and the disposal of water power, and a great variety of other special uses. We may honestly disagree about the methods used by the Forest Service in carrying out its secondary purpose. We have heard on the floor of this House in the discussion of this bill complaints about the manner in which contracts are let for the sale of timber, complaints of favoritism in the granting of grazing permits, and we have also heard the complaints made by gentlemen that the development of the West is being retarded by unnecessary restrictions on the use of water power, and many of us perhaps have been provoked by the petty acts of some department official who seems to think that the regulations of the Forest Service are superior to the acts of Congress, and who, swollen by a little brief authority, attempts to make a record by harassing the settler. But I do believe that here is one thing upon which the whole American people are agreed, and that is that the remaining forests of the United States should be protected from the needless and preventable waste caused by the ravages of fire. I insist that it is false economy to make any reduction in the present appropriation. It is in the nature of an insurance of a great national asset, the value of which runs into millions of dollars, and aside from that in many places it means the protection of human life. When you reduce this appropriation you are cutting at the very heart of the conservation idea. I sincerely hope that this amendment will prevail. [Applause.] (From the CONGRESSIONAL RECORD, Mar. 11, 1912, p. 3154.)

In Washington, Hayden became known as a service Congressman, diligently answering constituents' mail, sending out all kinds of Government publications. In 1912, he introduced his first bill as a Congressman. It authorized the construction of a railroad to Fort Huachuca, Ariz., a historic frontier cavalry post. Today, Fort Huachuca is headquarters of the worldwide U.S. Army Strategic Communications Command and the site of other important Army organizations including the Intelligence School, Combat Surveillance and Electronic Warfare School, Electronic Proving Ground, Combat Developments Command Intelligence Agency, and the Security Agency Test and Evaluation Center.

Mr. Hayden fondly remembered the first President he served under.

I have served in the Congress during the administrations of ten Presidents, the first

of whom was William Howard Taft. He was a kindly man, and put me at ease when I went to the White House to see him. I have often thought that if his son, Senator Robert Taft, had been fortunate enough to inherit his father's friendly manner, he might have become the Presidential candidate that he so much wanted to be. (Stanford address.)

Although Hayden supported Champ Clark for the Democratic National Convention's presidential nomination in 1912, he greatly admired the party's and the Nation's choice in 1912—Woodrow Wilson. Hayden was a trusted supporter of Wilsonian domestic policies and he also went to bat for the President over the League of Nations.

During his eight years in the White House, President Wilson secured the enactment of the Federal Reserve Act, the Clayton Antitrust Act, and tariff reform legislation—all of which was of benefit to our Nation. He not only had to bear the burden imposed upon him by the first World War, but also to suffer the failure of the Senate to ratify the Peace Treaty which he had negotiated in Paris. (Stanford address.)

Always an advocate of national preparedness, when the First World War broke, Congressman Hayden joined with three of his colleagues to defy an Executive order forbidding Members of Congress to volunteer for military service, and was sent to Camp Lewis, Wash., as a commander of a battalion. Armistice came, however, before his unit completed training and he did not go overseas. In a speech before Congress, at the end of the war, he said:

I pray that the result of this war will be a peace so just and so profound that the American people will not be called upon to endure even the most democratic form of conscription. (CONGRESSIONAL RECORD, vol. 113, pt. 13, p. 17421.)

Returning to domestic matters in 1919, Hayden sponsored the 19th amendment to the Constitution extending the right of suffrage for women. He was the author of the language which stipulated that rights enjoyed by women at the time of adoption would not be nullified or abridged as a result of suffrage. In the same year, he was the sponsor and floor manager of the bill which established the Grand Canyon National Park. Hayden was learning much in Congress. He learned that politics is quite accurately the "art of the possible." He learned that legislation is a compromise; that there must be give and take to accomplish anything. He also learned from his elders that there were two types of Congressmen and Senators, the workhorses and the showhorses. He elected to be a workhorse. And how fortunate for this country that he did so.

One of the projects that Carl Hayden worked hardest for was the central Arizona project, a dream he had had during the 1920's. Hayden was convinced that for Arizona to prosper, for her growth to be unlimited, she had to have the waters of the Colorado River for irrigation purposes. Other States laid claim to those waters, and in an effort to compromise the situation, Hayden proposed that the States in question—Arizona, California, Utah, Wyoming, Colorado, Nevada, and New Mexico—gather together to discuss the use of the Colorado's waters. And so the story began in June 1921:

My first impression was that no action by Congress was necessary, but that the irrigation development along the Colorado River might proceed as had been done on other streams, and inasmuch as the principal use of its waters must of necessity be along the lower reaches of the river in Arizona and California I could see no particular need for an agreement with the upstream States. But the more I studied the question the more certain I became that this legislation should be passed. I found that there had been serious controversies between other States similarly situated; for instance, the famous case between Kansas and Colorado, which went to the Supreme Court of the United States, to settle a dispute over the waters of the Arkansas River, and a like disagreement between the States of Wyoming and Nebraska over the waters of the North Platte.

If the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming can agree upon an equitable division of the waters of the Colorado River, and that agreement is ratified by Congress, it is certain that much litigation will be obviated. There will be no cause for an appeal to the courts because the matter will be determined in advance in a way that will avoid great expense and loss of time.

In conclusion, let me express the hope that none of the States mentioned in this bill will adopt a dog-in-the-manger attitude, but that broad-minded men, experienced in irrigation development, will be appointed as commissioners and that they will promptly reach a fair and just agreement. When fully conserved there is water enough in the Colorado River to fully reclaim at least 6,000,000 acres of the most fertile land on this continent, located in a region blessed with more sunshine and a longer growing season than can be found anywhere. We are taking a legislative step today toward the creation of an irrigated empire which will yield untold agricultural wealth to the American people. (From the CONGRESSIONAL RECORD, June 20, 1921, pp. H5771-2.)

All of my colleagues are familiar with the story of the central Arizona project, the crowning achievement of Carl Hayden's life. They know how these States devised a plan to divide the waters of the Colorado River and signed what is known as the Colorado River Compact in 1922. They know that the only State legislature that refused to ratify the compact was Arizona's. This occurred as a result of Governor Hunt's campaign in 1922 on a pledge to block ratification. Hayden was a slow man to anger but he was angry over this one. He went before the legislature himself and pleaded that the compact be ratified. It was not until 1944 that Arizona finally ratified the compact. And after a Supreme Court decision which gave Arizona title to an amount of the river's waters, the central Arizona project, Carl Hayden's dream of 1921 became a reality on September 30, 1968. Carl Hayden had stuck with it. As I wrote in 1967:

Senator HAYDEN has practically made a career of trying to pass the central Arizona project, a reclamation undertaking which would enable Arizona to utilize its legal share of the waters of the Colorado River. After many years of effort and passage twice by the Senate this project was delayed in 1951 with a demand in the House that Arizona go to the Supreme Court to prove its right to certain waters of the Colorado. For 12 years Arizona fought that case, and in 1963 Arizona won.

Mr. Speaker, for an octogenarian, now turned nongenerian, Senator HAYDEN has shown amazing energy in advancing Arizona's

cause in the 4 years since the Supreme Court handed down its decision. He has devoted long hours to negotiations, hearings, writing, and rewriting sections of the bill, entering new approaches, conferring with the administration and leaders of the various Western States. He has displayed a capacity for work that a man half his age could be proud of. (From the CONGRESSIONAL RECORD, vol. 113, pt. 20, p. 27519.)

During the intervening years, between the suggestion of a central Arizona project and the passage of the bill, Carl Hayden continued to make congressional history. By 1926, Carl's name was so sure a shot in politics that he easily won the senatorial primary. He was elected to the U.S. Senate for the term commencing March 4, 1927, and reelected in 1932, 1938, 1944, 1950, 1956, and again in 1962 for the term ending January 2, 1969. In 1927-28, he successfully filibustered Boulder Canyon Project Act to protect Arizona's Colorado River water rights and to obtain power from Hoover Dam. The filibuster was carried on by Senator Hayden and Senator Henry Ashurst and lasted for 1 month in 1927 and about 2 weeks in 1928. It is interesting to note that, during his congressional career, Carl Hayden never voted for cloture.

In the realm of foreign affairs, Carl Hayden was a strict internationalist. In 1934, he travelled to the Philippine Islands and Asia and reported to the U.S. Senate on Philippine independence and Japanese war buildup. This report paved the way for a 1935 amendment to the Latin American military assistance bill, sponsored by Hayden. This amendment permitted the President to send U.S. Armed Forces to the Philippine Islands. Concerning Philippine independence, Hayden in a letter to his colleague, Senator Tydings, recorded these thoughts:

"All that I have to say is based upon the idea that the Filipino people are to have a government of their own. . . ." He continued, "Any serious study of the facts compels one to conclude that an independent Philippine government cannot obtain the revenue to maintain itself either nationally or in its local branches, without continued access to American markets. . . ."

"Complete application of U.S. tariff laws to the Philippines means that this experiment in self-government will fail."

"A way can be found to advance the Philippines welfare without injury to our own country. I hope that what I have written will be helpful in that respect." (From CONGRESSIONAL RECORD, vol. 113, pt. 13, p. 17422.)

Hayden's role in the New Deal was considerable. As he himself described in a later memoir:

I was then the Chairman of a Senate Committee which authorized appropriations for Federal aid to the States for the Construction of highways, which the States were required to match. At the White House, I suggested to the President that a great way to provide the much-needed employment would be to make highway construction funds available without requiring the States' to match the money. He wanted to know what it would cost and I said 400 million dollars. He then asked how I had arrived at that figure and I said that I had telegraphed to all of the State Highway Departments, asking how much they could spend. President Roosevelt then said, "Go tell Bob Wagner to put it in the relief bill," which the Senator from New York did. Four hundred million dollars at that time was equal to

twice that much money today. (Stanford address.)

In 1939, he sponsored legislation authorizing Government insured loans to farmers—Farmers Home Administration. Of President Roosevelt, he remarked:

When Franklin Delano Roosevelt became President on March 4, 1933, the Nation was at the bottom of what was called the "Great Depression." Business was stagnant and thousands of men were out of work. President Roosevelt used the radio to bring hope that ways could be found to restore prosperity. (Stanford address.)

In the years preceding World War II, Hayden played an active role in alerting Americans to the threat of nazism. In March 1935 he could be heard on the floor of the Senate arguing against military appropriations cuts and arguing for new military installations and new warships and increasing the size of the regular Army. "We sadly needed a Regular Army nucleus when World War I broke out," he said. He supported lend-lease and helped make it possible for Gen. George C. Marshall to hold maneuvers in Louisiana so he could train his troops and select his field commander. When the war was finally drawing to a close, he successfully sponsored and helped secure passage of the World War II Veterans Readjustment Act—the GI bill of rights.

During the fifties and sixties Senator Hayden relentlessly pursued the passage of the central Arizona project. In the months immediately preceding final passage, Hayden was still displaying shrewd congressional footwork in relation to this controversial bill. In a feature article about his activities on Capitol Hill after 57 years, Hayden seemed to be as cunning and as canny as ever.

Sen. Hayden disclaims any formula for longevity, but he does find spiritual, if not therapeutic, value in a day's work. He is still a formidable power in the Senate, and his influence is as much a product of his indefatigable labor as it is of his seniority.

For all his apparent indifference to what happens on the floor of the Senate, he is as canny a cloakroom operator as any in Congress today. An example of how he has maintained his reputation as a fox is his recent footwork over the \$1 billion Central Arizona project.

In August Sen. Hayden managed (for the third time) to win Senate passage of the huge water diversion project. But prospects for its passage in the House were dim. Chairman Wayne N. Aspinall (D., Colo.), of the House Interior Committee said he wouldn't take up the bill this year.

OLD FOX

But the Senate's Old Fox (who looks more like a gaunt, ancient owl) does not abandon pet projects that easily. Quietly he let it be known that he intended to take the Arizona Project as a rider on the public works bill soon to be taken up in the Senate. If, as seems likely, the Senate passes it again, the House will have to act on it—or jeopardize a public works bill that is as dear to a congressman's heart as mother love and the salute to the flag. From the Washington Daily News, article by Richard Staines, date unknown.

He still could be counted on to make some insightful comment on the functioning of Government. For example, in June 1967 when interviewed by the

Arizona Republic's Ben Cole on the problems of a growing Federal budget, Hayden had some interesting things to say: [From the Arizona Republic, June 19, 1967]

THE FEDERAL BUDGET IS GETTING SMALLER (By Ben Cole)

The first words Carl Hayden spoke when he went to Washington as a member of the House of Representatives were in support of an amendment to increase an appropriation for fire-fighting in national forests.

"When I finished my five minutes, I sat down beside Bob Talbot, who was one of the two surviving Confederate veterans.

"Uncle Bob said, 'You just had to talk. That reporter took down every word you said and you can never get it out of the Congressional Record, so be careful about what you have to say.'"

Hayden took the old-timer's advice and became one of the least heard members of Congress. He wryly suggests that his silence may have been the secret of his political longevity.

But when the veteran Arizona senator does say something it is with authority: For example, when he speaks to those who consistently voice concern over increased federal spending and who appeal to him as chairman of the powerful Senate Appropriations Committee.

Sen. Hayden is undismayed by the growth of the federal budget. There are more people, he says, and people demand services and create problems. They cost money.

Therefore, looking ahead from his 55 years as a lawmaker, Hayden says the total figure on yearly appropriation measures will be bigger.

This does not necessarily, he cautions, indicate that the per capita expenditure is higher, or that the federal government is spending more and more of what the people produce.

On the contrary, as a percentage of the Gross National Product—the total production of the economy each year—the federal budget might be said to be getting smaller, the senator suggests.

Hayden's career in Congress has been closely involved with the appropriation of funds, a function he considers the basic duty of lawmakers.

Since Hayden went to Congress in 1912 more than \$2.3 trillion has been appropriated to run the nation.

As chairman of the Senate Appropriations Committee, the 89-year-old is probably the highest authority on the federal spending process.

He measures appropriations in two ways:

Are they productive capital expenditures like public roads, flood control projects or other types of tangible things needed and wanted by the people? If so, he is for them.

Are they valuable programs which benefit the whole nation? He cites the postwar "GI Bill of Rights" with its educational aid for veterans as an example, since it provided the country with skilled and scientifically trained manpower not otherwise available.

Congress, Hayden contends, was never supposed to function as a rubber stamp for the executive branch in money matters. He can cite notable skirmishes he fought to preserve the congressional prerogative.

At the conclusion of each Congress, he places in the Congressional Record a table showing how much the President asked Congress to appropriate, and how much the two houses were able to cut from that figure.

It is, of course, the House of Representatives that always or nearly always can cite the largest reductions.

By tradition, the House acts first on all appropriations measures. This means the Senate can, if it sees fit, restore the reductions and work out compromises in conference committees with House managers.

Hayden notes with considerable satisfaction that the Senate very often agrees with the House and has, on many occasions, found even further reductions were possible.

The Senate is derisively called the "upper body" by members of the House of Representatives who argue that "the Senate always 'ups' the appropriations bill after we cut them."

Sen. Hayden also chuckles at the criticism. He has observed, without complaint, that in some years a majority of the members of the House Appropriations Committee have been before him to seek restoration of funds cut by the House from projects affecting their districts.

Sen. Hayden is aware that members of the House have vastly different problems from senators. For one thing, they are elected every two years; and, for another, they represent limited local interests.

Thus, for example, Rep. Morris K. Udall may concentrate at times on matters of interest only to his own constituents, but Sen. Hayden must consider the needs of the entire state. The same applies to every senator and every representative.

In a sense, the appropriations committees of the Senate and House of Representatives are the bill-payers for all the other committees.

Contrary to popular belief, Sen. Hayden and his House counterpart, Rep. George Mahon, D-Tex., cannot wave their great powers as chairmen and make the federal establishment vanish. Neither can they pare the federal budget to a nubbin and bring back the drowsy days of the 1920's.

Congress, first of all, authorizes the spending programs for which appropriations are made. Some authorizations may wait years before appropriations are provided to carry out the projects they specify.

But the important thing to remember is that the appropriations committee passes on appropriations bills only. These bills, under congressional rules, may not contain any legislation.

When, in 1912, Hayden arrived in Washington to start his unique congressional career, the federal budget was just over \$1 billion and the gross national product \$46 billion.

World War I sent the budget soaring, and appropriations in 1918 and 1919 were \$18 billion and \$27 billion, respectively.

Then came the tranquil '20s, with appropriations of \$3 billion, \$4 billion, \$5 billion—up until the New Deal pump priming days of 1935 when they began to climb to \$9 billion and \$10 billion levels.

The first year of American participation in World War II saw appropriations of \$34 billion, the gross national product \$139 billion. Uncle Sam was taking 24.4 per cent of what the economy produced.

The war crest year of fiscal 1945 appropriations reached \$98 billion—47.1 per cent of a gross national product of \$216.8 billion.

Subsequently, while yearly appropriations have climbed, so has the level of the economy. The 1967 spending estimate is \$126.7 billion against a gross national product of \$762.5 billion—16.6 per cent.

The national debt was \$269.9 billion in 1946 and represented 133.9 per cent of a gross national product of \$201.6 billion. This year the national debt is \$327.3 billion, representing 42.9 per cent of the current gross national product of \$762.5 billion.

According to this method of figuring, the public debt expressed as a percentage of the gross national product is decreasing, the same way the federal budget is decreasing in relation to the gross national product.

The Bureau of the Budget, in its booklet called, "The Budget in Brief," lists some of the reasons why Congress is called on for increasing funds.

"The growing workloads of federal agencies," the booklet says, "stem directly from these steadily increasing requirements for

more and better public services. For example, between 1958 and 1968:

"The number of active urban renewal projects will have risen by over 250 per cent.
"Visitors to our National Parks will have increased 150 per cent.

"The number of occupied federally assisted public housing units will have grown by nearly 70 per cent.

"Enrollees in vocational education programs will have increased by almost 80 per cent.

"The volume of mail delivered will have risen by nearly 40 per cent.

"The number of passports issued will have increased 175 per cent.

"The number of federal grants and loans to college students will increase more than four-fold, to 2.2 million.

Then, there are programs that did not exist 10 years ago. For instance in 1968:

Medicare will cover more than 40 per cent of the medical costs incurred by 20 million older citizens.

The education of 8.5 million disadvantaged school children will be strengthened.

The number of medical schools improved or constructed with federal support will total 71.

Federal funds will have assisted in making about 117,000 low and moderate income housing units available under private sponsorship.

Anybody, Sen. Hayden notes, can go down the list and pick out programs or items he would throw. The trouble is that every program has its supporters, and budget-making is never merely an accounting exercise for the U.S. Senate. It is a political undertaking, and it requires getting compromises every step of the way.

"I doubt if there ever was an appropriations bill that pleased every senator, or even one senator altogether," Sen. Hayden has observed.

Currently, of course, the Vietnam war is adding to the demands for federal appropriations. Yet, without considering the demands of war, the trend of the federal budget is, and has been for a long time, upward.

The mystery of the appropriation process at times overwhelms even the Congress itself which manifests its bafflement by proposing ostensible innovations which often are old methods long rejected as unsuited to the need.

The new Congressional Reorganization Act, currently nearing final action in the House of Representatives, contains at least one such deference to the lawmakers' general belief that somehow the appropriations committees might function more rigidly.

The bill calls for the committees to hear the Director of the Budget each year explain the federal spending proposals of the coming fiscal year.

For decades this had been the custom: The Director of the Budget would come to Capitol Hill with his thick book and his reams of supporting papers. The meetings were singularly dull, and before long Sen. Hayden found himself sitting dutifully and alone. He continued each year to conduct the meeting, usually the only member of the committee to sit it out. Then, at last, he quietly suspended the obviously unwanted ceremony.

The new reorganization act would require Hayden to reinstitute these annual conversations with the director. When the provision was called to Sen. Hayden's attention with the suggestion he might want it amended out of the reorganization measure, he only shrugged.

"It won't make any difference. Let it be," was his decision. There were other more restrictive items he preferred to eliminate.

President John F. Kennedy, as a young senator from Massachusetts, undertook to reform the federal budget-making procedure

in what many colleagues believed was a sound economy move.

He proposed the frequently recommended adoption of an accrued accounting system instead of the annual administrative budgeting system used by the executive agency.

Sen. Hayden notes that the system looks good on the surface because it appears to tighten down the lid on spending. In actuality, in his opinion, it would shift the control of the appropriation process away from Congress and put it in the hands of the federal bureaus.

The subtlety of this is best explained in an over-simplification: Instead of telling the Fish and Wildlife Service, for example, how much it may spend in a fiscal year under the present system, Congress would be told by the agency what it planned to spend in the next 12 months.

Sen. Hayden interposed an objection when the Kennedy accrued account bill reached the calendar. It was, therefore, not called up. Finally, it was agreed as a compromise to send the bill, which came out of the government operations committee, to the appropriations committee then under the chairmanship of the late Sen. Style Bridges, R-N.H.

The appropriations committee considered it and reported it again. The Senate passed it. It went through the House and President Eisenhower signed it into law.

But it was unworkable, as Sen. Hayden foresaw. So it was never implemented, and it died a natural death on the day set for its expiration.

"The appropriations procedures of the Senate are the result of 100 years of experience—sometimes very hard experience," Sen. Hayden warns. He is disinclined to rush into any improvisations for that reason.

The late Sen. Harry F. Byrd, D-Va., the leader of the economy bloc in the Senate for a quarter of a century, urged all appropriations be considered in a single bill.

Byrd succeeded in selling his idea to Congress, and it was tried once in 1950. The late Rep. Clarence Cannon, D-Mo., who prided himself on slashing presidential budgets without mercy, angrily denounced the procedure.

The bill itself looked like a fat, coverless phone book. It was physically unwieldy and nearly incomprehensible even to committee members. It was never tried again.

In an analysis of the failures of the one-package system, Sen. Hayden set down, also, five arguments for and against the "item veto," frequently advanced as a tool a President might use to eliminate from spending bills any items of which he might disapprove.

As Sen. Hayden noted, the proponents of the item veto declare:

"It would permit the elimination of legislative riders.

"It would reduce extravagance in public expenditures.

"It has worked successfully in 39 states, where the governors have been given that power.

"The constitution of the Confederate States of America, adopted in 1861, permitted the President to 'veto any appropriation or appropriations, and approve any other appropriation of appropriations.'

"President Grant, Hayes, Arthur and Franklin D. Roosevelt have recommended the item veto."

On the other side Sen. Hayden set down these arguments:

"It would lessen the responsibility of the Congress.

"It would increase the influence of the executive whose powers have already been expanded.

"It would be an uncertain grant of power.
"It would impair the system of checks and balances established by the Constitution.

"It would defeat the legislative intent of the Congress."

Thus far, Congress has withheld the item veto. Presidents Eisenhower, Kennedy and Johnson have subsequently improvised a modest kind of substitute: They have, on occasion, simply not spent funds Congress voted for which they had not asked.

From the outset, Congress has guarded jealously its right to control the federal purse. President Washington, in 1791, sent the Senate a message indicating he intended to ransom some Americans held captive by Algiers and urging an appropriations "on your earliest attention" for the recognition of a new treaty with the emperor of Morocco.

The Senate quickly advised President Washington by resolution to suspend his operations for the ransom of the captives until funds were provided. It then voted to appropriate \$20,000 for recognizing the emperor of Morocco, the funds to be derived from duties on distilled spirits.

The Senate Appropriations Committee which Sen. Hayden has directed since 1955 is only 11 years older than its chairman.

The Senate created the appropriations panel in 1867, following the Civil War. President Lincoln's wartime regime is considered by congressional historians to be the "high water mark of the exercise of Executive power in the United States."

Francis S. Hewitt, writing the history of the committee, notes of that period, "Millions in federal funds were spent without appropriations having been made for such. The exigencies of the moment had in many instances pre-empted other considerations so that congressional attempts to control the purse were frustrated by an executive who wrote: 'I feel that measures, otherwise unconstitutional, might become lawful by becoming indispensable to the preservation of the nation.'

"Once the national danger subsided, the Congress reasserted its constitutional rights. Appropriations control was one area to which attention was directed."

The Senate, March 7, 1867, adopted a resolution by Sen. Henry B. Anthony, R-R.I., creating a seven-member committee on appropriations.

Today's Senate Appropriations Committee, far from being Sen. Hayden's one-man show, is an organization of 26 senators and a professional staff of 35 men and women, including three Arizonans, Thomas J. Scott, of Douglas, chief clerk; Paul Eaton of Yuma, for many years Hayden's administrative assistant, and Joe E. Gonzales of Superior.

Although there was no deterioration of his mental facilities, Hayden suffered some major reverses regarding his physical health. His wife's death in 1961 after 53 years of marriage came as a tremendous blow to the Senator. Nan and Carl Hayden had no children, were devoted to each other, and lived for many years in apartment 504 in the Methodist Building opposite the Supreme Court. Following her death, Hayden contracted a stubborn flu, and then a debilitating intestinal condition. For a while in early 1962, it appeared that he would not be able to run for his Senate seat again. He recovered almost completely, ran the race, and won by 30,000 votes. In his later years, Carl was quite visible on Capitol Hill. As Nick Thimmesch reported in his feature article on Hayden, printed in the Los Angeles Times in 1967:

He insisted on eating in the Senate cafeteria, favoring a lunch of a hot dog, bean soup, a glass of milk and then a cup of half cream, half coffee. He usually had a cigar in his mouth and used his cane to wave people onto elevators. His aides report that the senator, as a pedestrian, experienced a number of near misses from speeding cars on

Capitol Hill in the past couple of years. In 1965 he had another succession of illnesses which nearly finished him. Antibiotics produced what was described as the worst case of hives ever seen in Bethesda Naval Hospital. He also suffered from a severe loss of hearing. Yet he survived, called for his favorite bourbon, and greeted senators way past social security age, with "All right, Sonny." He could boast that he had all his teeth, save two, and though he was stooped, his legs, heavily muscled from many miles of walking as a boy in Arizona, remained strong.

On his 86th birthday, Hayden wrote to an old friend that shared his October 2 birthday, then retired Francis Green who was 96 that day. The letter read: "To Ted Green, my warmest wishes, tendered with the natural respect that one has for his elders. Although your birthday added to mine make us jointly only five years younger than the United States of America, friendship observes no such measure of time. Like the ancient sun dial, we have counted none but fair hours. Carl Hayden." Green lived until 1966, when he was 98 years old.

On his 90th birthday, Hayden was still setting a torrid pace. Aides used to complain that the Senator worked from 9 a.m. to 6 p.m. 7 days a week. "It's hard on his staff." However, in the spring of 1968 after much soul searching, Carl Hayden felt that he could not serve another term. He wanted to return to Arizona for the remainder of his life and he felt that he would be unable to perform his duties as Senator as effectively as he would want to. These were his own words:

Among the other things that fifty-six years in the House and Senate have taught me, is that contemporary events need contemporary men. Time actually makes specialists of us all. When a house is built, there is a moment for the foundation, another for the walls, the roof and so on.

Arizona's foundation includes fast highways, adequate electric power, and abundant water, and these foundations have been laid. It is time now for a new building crew to report, so I have decided to retire from office at the close of my term this year.

I would now like to tell the people of Arizona how deeply grateful I am for a lifetime of rewarding service. You have elected me to represent you for over a half-century in the Congress. You have given me the opportunity to serve with ten Presidents; take a front row seat at the most important events in mankind's greatest century; and to vote on and help fashion the legislation that helped build a state and nation.

To my Senatorial and Congressional colleagues here today, may I say it has been my privilege and honor to serve with you and work with you in this great legislative body. I deeply appreciate your cooperation of the past and assure you I will cooperate with you in the remaining months of my term.

To my friends and supporters, I can only say, "Thank you." Your trust in me and your help is the highest tribute a man can have. To the memory of friends no longer with us, I can only say that "I remember" in the fullest of my heart.

Well, the Old Testament has said it best, so I will use it in modified form to close: there is a time of war, and a time of peace, a time to keep, and a time to cast away, a time to weep, and a time to laugh, a time to stand, and a time to step aside.

I thank you. (From the CONGRESSIONAL RECORD, vol. 114, pt. 9, p. 11984.)

In one of his last interviews, after Carl Hayden had left Washington, it was still very clear that Arizona's greatest statesman, and the Nation's most trusted serv-

ant intended to keep abreast with all the issues and events that shape this Nation:

[From the Arizona Gazette, May 9, 1969]

"It's GOOD TO BE HOME": SENATOR HAYDEN BUSY IN RETIREMENT

TEMPE.—Sen. Carl Hayden leaned back in his well-padded executive chair and grinned broadly. "It's good to be home," he said.

The veteran lawmaker, who spent 57 years as one of the nation's most powerful men, "retired" from his senatorial duties last fall. He admitted that the attractive three-room office suite he now occupies on the top floor of the Arizona State University Library fits his need perfectly.

The Senator, now 91, is battling back from a bout with the flu which sidelined him for six weeks at the beginning of the year.

"I'd like to get out and run a foot race," he quipped. "But, when you're cooped up that long, your legs don't quite track back the way you like them to."

Although the illness weakened him physically, it failed to dim his keen intelligence, wit, and zest for life.

As a matter of fact, he expressed eagerness to get on with the task of correlating information he gathered over the years on Arizona pioneers.

The Senator consider the passage of the Central Arizona Project bill by the last Congress as the crowning achievement of his career. When it was fully attained, he felt free at last to come home to the Arizona he loves.

"I wouldn't have stayed in Washington two weeks except for the fact that I had a job to do," he said.

His efforts as "the quiet workhorse of the Senate" are recalled in a scroll presented him in 1961 by his colleagues, and signed by Lyndon B. Johnson, Mike Mansfield, George A. Smathers, and Robert G. Baker.

Senator Hayden worked tirelessly for Arizona's water which he describes as the state's greatest challenge and opportunity.

"Without it, Arizona's growth is predictably limited. With it, growth is almost unlimited," he commented.

The veteran lawmaker said he agreed with a statement he heard recently that the saddest commentary that can be made on the current American scene is the demise of Horatio Alger and the Rover Boys.

"We need a resurgence of that old spirit that imbues the individual with the conviction that he can accomplish anything," he stated.

It is this same spirit that has carried not only the nation, but Arizona this far. He is particularly impressed with the manner in which Arizonans have learned to develop natural resources in the face of great difficulties.

"While great strides have been made in our exploitation of soil, water, and climate for the development of agricultural forestry, tourism, and manufacturing, the copper industry is perhaps the greatest example of perseverance," he said. "They've stuck with it until today they're using amazingly low grades of ore and are still expanding."

Though the senator avows any expertise in the field of international relations, he is convinced that it is impossible to deal with the Communists. He believes Russia could stop the Vietnam conflict today by cutting off its supplies of arms to North Vietnam.

"Settlement of the Vietnam fighting is the first priority of the United States," he observed. "Until that is resolved, it will be difficult, if not impossible, for the United States to turn its attention constructively to other matters."

During the Eisenhower administration, Senator Hayden worked closely with Richard M. Nixon who had ascended to the vice presidency from the Senate where they first met.

"If the Republicans had to win in 1968, Nixon is the best man they could have possibly picked," he admitted. Then, after a thoughtful pause, added: "But what he can do about the Vietnam conflict remains to be seen."

The Senator considers the Cuban crisis, which occurred shortly after President John F. Kennedy took office, as the tensest situation he encountered during his long tenure on Capitol Hill.

"Now, we are faced with strange and perplexing problems of another type," he emphasized. "I don't understand what's happening on our college campuses and I don't understand the widespread use of marijuana, LSD, and other drugs."

He contends that no serious student would engage in these demonstrations since such foment interferes with education.

"As I see it, the first challenge is up to the college administration," he said. "I believe the head man at Notre Dame did the right thing. Give 'em the boot. This nation can't afford to tolerate such things."

In spite of the current social, ethnic, and economic problems, Senator Hayden is convinced that the United States will be here for a great many tomorrows. He has an abiding faith in the American citizen's ability to make sound judgments and ultimately to make the right decisions.

"As a people, we will do what we have to do to survive as leaders of the free world," he concluded. (From Arizona Gazette, May 9, 1969, p. 38.)

And now Carl Hayden is no longer with us. We shall all miss him terribly. No words can attempt to express our debt to Carl Hayden. No tribute can do him justice. Perhaps he himself should have the last word. If I were to choose the words to form Carl Hayden's epitaph, I would recall his own statement concerning the quest for peace in our time:

I talk less about peace and appropriate more in the hope of achieving it.

Carl, I know that you have achieved the peace you so richly deserved.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I would like to join in the tribute the gentleman from Arizona is paying to one of the great statesmen of this country. Senator Hayden in his lifetime saw our country develop from what was, even at the time of his birth, still a frontier nation to a great international power. He played a very large part in that growth and development.

He came to Congress from a State newly admitted to the Union but he had a very broad grasp not only of the problems of his emerging State but also of this Nation of ours.

I think the contribution he made will live for many years to come.

To me Senator Hayden was a very remarkable man. I remember when he became President pro tem of the Senate and he attended the White House leadership meetings. At these meetings Senator Hayden was as alert and active as any man there, although in many cases he was twice as old as some of the others in attendance.

The State of Arizona has lost one of its very great leaders.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, I, too, felt the loss of one of the truly great men ever to serve in the Congress. Carl Hayden was elected to the 62d Congress in 1912 as one of the first two Representatives from the new State of Arizona and served continuously in either the House or the Senate until he voluntarily retired about 3 years ago, having broken all records for continuous congressional service.

Nevertheless, Carl Hayden will be remembered less for the tenure of his service than for the impact of his service. He was a workhorse. He came to Washington as the leader and spokesman of the great West at a time when the West was just beginning to expand. He was a son of the West, one of the very few men of Anglo-Saxon origin old enough or young enough to have been born in the State that he represented since 1912. He was of pioneer stock, born in the Old West, who gave his life to building the New West. A sheriff and local politician, he became its prime spokesman as well as a great national legislator.

His brand was on all the legislation that had to do with the growth and the development of the West, almost from the time he came to the Congress, until he retired.

Carl Hayden was a great believer in the development of the resources of the Nation. He placed the mark of the builder reflective of his personality, his ability and his dedication, on every project and program which helped to develop the Nation.

He served as chairman of the Senate Committee on Appropriations on a continuous basis longer than any other man in the history of the U.S. Senate.

He was respected by every Member of the Congress.

He was not only an institution in the Congress; he was an institution in the Nation. He was one of the great figures of our generation and also of the generation that went before us.

He will be long remembered as one of the most remarkable men in the history of the Congress of the United States.

Mr. UDALL. I thank the distinguished Speaker.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Michigan, the minority leader.

Mr. GERALD R. FORD. I thank the gentleman from Arizona.

Carl Hayden came to the Congress before I was born and served until a relatively few years ago, either as a Member of the House of Representatives or of the Senate.

I never served with him in the House of Representatives, but I was fortunate to have had a number of experiences when he was in the Senate and chairman of the Senate Committee on Appropriations, at a time when I was also a member of the House Committee on Appropriations. During this period of 14 years we were House-Senate conferees on many appropriation bills. There were many, many instances I know of firsthand when Carl Hayden as the chairman of a House-Senate conference on an appropriation

bill brought about a compromise which was in the best interests of the country. He was a master at the art of constructive compromise.

Although he was dedicated to expanding the role of Arizona in many, many ways as a part of the Union, my distinct impression was that Carl Hayden was really more interested in doing what was right for the country.

His wisdom, his counsel, his patience paid off in those very difficult decisions which had to be made where House and Senate conferees on appropriation bills had differing points of view to represent and satisfy.

I consider my experiences as a relatively younger Member at the time will be indelible on my mind as to how a Member of the Congress should carry on and do his duty and his responsibility to his State and to his country.

I share the views expressed by the distinguished Speaker and by the gentleman from Louisiana, the majority leader. The country, as well as Arizona, has lost one of its great and legendary statesmen in the history of the country.

Mr. UDALL. I thank the gentleman.

Mr. RHODES. Mr. Speaker, January 25, 1972, is a sad day for the State of Arizona for it marks the passing of one of her greatest men—the former Senator Carl Hayden.

It is difficult to think of Carl in any way except as a leader, statesman, and devoted Arizonan, all of which he was for all of his 94 years. One addition to be made, however, to these qualities is the one of warm and loyal friendship which he exhibited to his friends and associates over the years of his life.

Carl Hayden began his career as one of Arizona's finest public servants as a member of the Tempe Town Council—the town in which he was born—then served in Maricopa County as treasurer and, later, sheriff. When Arizona was admitted to statehood in 1912, Carl came to Washington where he served as a Member of the House of Representatives from 1912 to 1927, and as a Member of the U.S. Senate from 1927 to 1969. The span of years that Carl Hayden served is the longest in the history of the Congress—and every one of those nearly 57 years was a year of dedicated service to his State and country.

It was my privilege and pleasure to be one of Carl's friends. I had the opportunity to work closely with him on the central Arizona project, which caused his longtime dream of bringing water to his beloved Arizona to come true. Through my membership on the House Appropriations Committee, I had occasion to be associated with him in his role as chairman of the Senate Appropriations Committee. He was a man of wisdom, knowledge, vision, and integrity. He possessed the qualities of sound judgment and clear understanding to a remarkable degree.

Carl Hayden was a gentleman, a patriot—he was wise, he was honest, he had integrity. Arizona and our Nation are the richer for his life among us, and now the poorer for his death. I will miss Carl, but always will treasure my friendship and association with him. Mrs. Rhodes

joins me in extending our heartfelt sympathy to his beloved family in their bereavement.

Mr. UDALL. Mr. Speaker, I yield now to the gentleman from Arizona (Mr. STEIGER).

Mr. STEIGER of Arizona. Mr. Speaker, I thank the gentleman for yielding.

I think that the Speaker and the minority leader have put their finger on it. Carl Hayden was fairly a unique man at a unique time in history. His contributions, simply because of the passage of time, will be unable to be equaled again.

I think that perhaps one of his most unique strengths was the fact that he was aware of the awesome power he held as chairman of the Senate Committee on Appropriations. Yet he always, without exception, wielded that power in an equitable manner. He did not make use of the muscle that must have been so tempting to make use of on so many occasions. He always tempered power with reason. I suspect in that sense he may be the last of his kind, also.

Mr. Speaker, I join with my colleague, and perhaps my colleague in the well knows better than anybody else in this body now of the strengths of Carl Hayden and the manner in which he moved in an unheralded fashion. It is entirely appropriate that we render these eulogies now to this great man.

Mr. UDALL. Mr. Speaker, I now yield to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Speaker, there are some things we do in this body that are especially memorable to us as individuals.

Not too many years ago the gentleman in the well introduced a bill to establish a historic site in his State. This historic site was significant because in its restoration we would memorialize the establishment of a military base the purpose of which was to protect the wagon trains as they moved across the desert in the Southwest United States.

Those things which are now well known because of television and motion picture presentations, such as Apache Pass and the springs located there and such characters as Cochise and Geronimo and so on, were all a part of this story.

I derived a special pleasure from this particular piece of legislation, because when I testified in the other body I testified before Senator Carl Hayden, of Arizona, who happened to be a member of the first cavalry troop to occupy that fort in its beginning.

I think this kind of a story indicates the type of an institution this individual represented. He was among the first of the territorial representatives, and he stayed in that capacity throughout his entire life.

Mr. Speaker, I thank the gentleman for yielding.

Mr. JOHNSON of California. Mr. Speaker, it was with great sadness that I learned this morning of the passing of an old friend, Carl Hayden. All of us know that Carl Hayden served in the Congress of the United States for 56 distinguished years. In fact, from the time that Arizona was admitted to the Union as a State in 1912 until his retirement in 1968, Senator Hayden served his native State in either the House of Representa-

tives or the U.S. Senate. His record of longevity is unequalled but I also want to emphasize that his record of dedicated service to our Nation also is unequalled.

Many of the enlightened and far-sighted programs which this Nation now enjoys for all people were implemented as a result of his leadership over the years as chairman of the Senate Appropriations Committee and also President pro tem of the Senate.

Carl Hayden represented a neighboring State, which on many occasions disagreed with my own native California State on many issues and yet during all of those debates and discussions and disagreements Carl Hayden never once used his power in the Congress of the United States to bring embarrassment, shame, or disgrace to any individual or group of individuals. Yet, with his seniority, great power, and influence he could have done so—but this was not the nature of the man.

Carl Hayden was a dedicated public servant, fair to all people and one who worked diligently for the development, conservation and wise utilization of the natural resources, and especially those which related to water development.

Many of our California water development programs are operative today yielding the monetary and other benefits to our people, our State, and our Nation because of the wisdom of Carl Hayden.

I am proud to have known Senator Hayden. I am proud that he did have a close association with our State not only as a neighbor representing Arizona but also I am proud that he is an alumnus of Stanford University in California. But most of all I am proud that I could consider Carl Hayden a colleague and a friend.

On behalf of myself, my wife, and people from the State of California may I express to my colleagues here and to Carl Hayden's family the sorrow over his passing. His good works will stand as a national monument to the vision, energy, and dedication of this great man.

Mr. UDALL. Mr. Speaker, at a later time the Arizona delegation will seek a special order so that other Members of the House may be entitled to express their feelings on the passing of this great man.

GENERAL LEAVE

Pending that, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

THE PRESIDENT'S FOREIGN POLICY SPEECH

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, in commenting on President Nixon's remarkable report to the Nation last night of his long and lonely search for peace in

Vietnam, I hope that all of us will choose our words with the utmost care.

Negotiations with the Communists are still in progress, and it has been our experience since World War II that such negotiations are subject to sudden turns in the midst of seeming stalemate. That the President chose this moment to reveal the impressive record of secret negotiations can only mean that in his judgment it would help move the negotiations forward for the world to know what has gone before, and the lengths to which this Government and the South Vietnamese Government are willing to go to obtain an honorable end to the fighting.

In my view, there is hardly anything more President Nixon could do, short of conniving with our enemy to destroy our ally, than the honorable and generous terms he has offered privately and now publicly. I commend him for his persistence and patience in the face of what now appears to have been unfortunate criticism, and now I hope we will all exercise a little more patience and persistence ourselves.

The time has come for all Americans to support the comprehensive and realistic U.S. peace offer which has been laid face up on the negotiating table. Uniting behind our President in times of momentous international decision has always been one of the finest features of our political tradition. Practiced now, it just might bring about the peace for which all Americans pray.

I am including the text of the Presidents' speech to the American people and an editorial from this morning's New York Times at a later point in the RECORD today.

APPOINTMENT OF CONFEREES ON S. 602, DISPOSITION OF JUDGMENTS RECOVERED BY THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 602) to provide for the disposition of judgments, when appropriated, recovered by the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., in paragraphs 7 and 10, docket numbered 50233, U.S. Court of Claims, and for other purposes, with a Senate amendment thereto disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, HALEY, MELCHER, STEIGER of Arizona, and TERRY.

HEARINGS SCHEDULED ON PROPOSED "BUSING" AMENDMENTS

(Mr. CELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CELLER. Mr. Speaker, in the closing days of the first session of the Congress, I announced that the Commit-

tee on the Judiciary would schedule public hearings to begin early in the second session on proposed amendments to the Constitution, and other legislative proposals, respecting the transportation and assignment of public school students.

Interested parties wishing to testify or present statements to the committee were invited to contact the committee.

The committee is now in the process of compiling its witness list. Over 80 Members of the House have sponsored proposed amendments to the Constitution on this subject. In addition, the committee has received requests to testify from a number of civic and professional organizations in many parts of the Nation.

The committee plans to begin its hearings on this important issue on March 1, at which time we expect to receive the testimony of Congressman LENT, sponsor of House Joint Resolution 620, and Father Theodore Hesburgh, Chairman of the Commission on Civil Rights. The committee will endeavor to afford all who desire to present testimony an opportunity to do so so far as may be consistent with the needs to reach a prompt conclusion.

Mr. Speaker, it is hoped that the committee will strive to promulgate an appropriate resolution that might have the effect of stilling in the minds of the Members their desire to sign the discharge petition.

PRESIDENT NIXON'S SPEECH ON VIETNAM

(Mr. WAGGONER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WAGGONER. Mr. Speaker and Members of the House, the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), has previously made reference to the President's address to the people of this Nation last night with respect to what he has been doing and is going to do, both in public and private, with regard to achieving a settlement of the Vietnamese conflict.

Mr. Speaker, I consider the President's message to be very effective and very forthright. He should have quieted for all time the doubt that surrounds what he has been doing, but I suppose this would be too much to hope for.

It is true as well, I suppose, that we would have to have extreme optimism to believe that the North Vietnamese would be receptive to his proposal. I fail to see how anyone can expect the President to propose more. Total surrender is all there is left. To have gained the concurrence of the Thieu regime in South Vietnam to step aside is in my opinion something that very few of us could have hoped for. It was a magnificent stroke, in my personal opinion. Today the world knows that the United States will walk the last mile to achieve a just peace whether they admit it or not.

What he has done and is doing deserves, and I believe will in large part receive, bipartisan support here in this Congress. This House has given him bipartisan support in the past. Inadvert-

ently the Washington Post this morning used the right word to describe dissenters and headlined a column on page 1 with these words and said that "talk fails to convert politicians," and, regrettably, we still have a few of that breed around.

THE PRESIDENT'S PEACE PROPOSAL

(Mr. RARICK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, the Communist Party's rejection of the President's proposal to end the war should remind us all that the enemy's leaders do not need to worry about public opinion, legislative pressures from a two-party system, nor even elections. At most, the President's public proposal accomplished nothing except telling the American people what he and Henry Kissinger have been trying to do in secret over the past 30 months. Again, until last night, the Communists have known more about what was going on in Washington than the American people—including Congress. Not even Jack Anderson knew.

I wonder when the President will realize that our country is too big and our liberties too precious to be entrusted to the minds of two men—his and Dr. Kissinger's.

Had the American people known the truth over the past 30 months, certainly there would not have been the division and polarization of our people that now threatens to divide our country.

What the President actually proposed was, in effect, surrender—acceptance of the Communist Party in a new coalition government in South Vietnam—and the commitment to rehabilitate Indochina, including rebuilding North Vietnam with foreign aid paid for by U.S. taxpayers' dollars. Why should the Communists accept the President's latest proposal when their "dear American friends" have promised them that by patient waiting, total victory will be theirs?

The mighty elephant has pleaded with the flea to leave him in peace. The flea has rejected the elephant's offer awaiting complete surrender.

Our President has exposed his hole card and come up short. What else can he use to call a bluff? What other indignities must the American people suffer for the benefit of world public opinion—Moscow Pravda, Peking Times, and the U.N. Vista?

THE PRESIDENT'S PROPOSAL TO END THE WAR

(Mr. STRATTON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. STRATTON. Mr. Speaker, I want to commend the President for his talk last night.

I do not know how many hours we have spent in this Chamber, and even more in the other body, discussing what was supposed to be the pertinent proposition of whether we were going to set a

date, and then get our prisoners of war back in return.

A number of us, when this so-called Mansfield amendment has come up, have pointed out that it was never a deal, and that the Communists would never agree to return our prisoners of war simply by our setting a withdrawal date. The President did demonstrate last night that that is eminently the case. The Communists do not want merely our withdrawal; they want us to turn South Vietnam over to them, and that is the real condition on which they will agree to return the prisoners.

So I think we have no alternative but to continue the Vietnamization. And I was just a little amazed last night that on all of the channels that I flicked the television to after the President had finished his speech, I could not find a single professional commentator who had anything really good to say about the President's remarks.

PRESIDENT NIXON'S PEACE OFFER IS FAIR AND GENEROUS

(Mr. PELLY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, I want to join with the distinguished minority leader, and other Members of this House, in applauding President Nixon's eight-point peace overture to the Communists for the release of American prisoners of war and the end of our involvement in Vietnam. His offer is fair and generous.

Additionally, Mr. Speaker, the President has offered a new hope to the families of these prisoners, and despite the early public denunciation of the President's offer by the Communists, I hope and pray that private negotiations can continue and that they will be successful.

The offer has been made. It is now up to our negotiators to try to gain acceptance from the Communists. And, above all, we need unanimous support of this bold offer by all Americans so that there can be no doubt in the Communists' minds that they have nothing to gain by delay.

The President has proved that he indeed had a plan for ending this long and tragic war and that he has been pursuing this plan for the past 30 months.

The conclusion of this war now is up to the Communists.

PRESIDENT'S PLAN FOR PEACE IN VIETNAM

(Mr. PEYSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEYSER. Mr. Speaker, today I would like to introduce this resolution into the House:

H. RES. 778

Resolved, That the House of Representatives commends the President of the United States for his efforts to bring about a fair and honorable end to the war in Southeast Asia, and

That the House endorses and stands behind the President's most recent proposals

for peace in Southeast Asia as stated on January 25, 1972.

Finally, I want to say I think it is time for the American people to believe in our President and to believe in the integrity of the United States in its efforts to end this conflict.

A PROPOSED CONSTITUTIONAL AMENDMENT TO PROHIBIT BUSING OF SCHOOLCHILDREN

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Speaker, the minority leader of the House of Representatives has now signed a discharge petition to bring before this House a proposed amendment to the Constitution which would prohibit the forced assignment of children to schools based upon race, creed, or color.

In his statement, Mr. Speaker, the minority leader points out there is a sense of urgency involved. In fact, in his words, and I quote—"an extreme urgency."

I should like to urge each and every Member of the House who has not signed this discharge petition to sign it because there is a sense of extreme urgency. I commend the chairman of the Committee on the Judiciary for having stated he is scheduling hearings on this.

However, we all know that hearings can be long and drawn out and we also know that another school year is approaching. I would hope we can resolve this issue before the beginning of the next school year and, certainly, before the elections to be held this fall. We can do no less for the schoolchildren of America.

AMERICAN POLICY IN VIETNAM

(Mr. DENNIS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DENNIS. Mr. Speaker, the President of the United States has just made a definitive statement on American policy in Vietnam and Southeast Asia, which should serve to answer any reasonable critic, and which deserves the united support of the American people.

The President has demonstrated—not for the first time—that, as an international statesman, he stands in the very first rank in the contemporary world.

PRESIDENT NIXON'S PLAN FOR PEACE

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Illinois. Mr. Speaker, I think it would be difficult to overstate the importance of the address that President Nixon made to the American people last night. In revealing the record of his long, secret, and continuing search for a peace that would be fair and acceptable to both the North and South Vietnamese, he has clearly vindicated the

trust which he asked the American people to place in him when he began this search for peace so many months ago.

I hope now that the private record has been made public, that our adversaries will cease their public posturing and join with us in the serious business of negotiating an end to the war. No one pretends that some sticky problems do not remain, particularly with respect to the way in which South Vietnam's political future is to be decided.

The President's eight-point offer is broad and generous, and represents an important and substantive change in the American negotiating position—a change that should make it easier for the North Vietnamese to see that we are serious about peace, that we are ready to undertake negotiations toward an honorable compromise that recognizes their integrity and interests as well as those of South Vietnam.

Predictable criticisms of the President's proposal are already surfacing. Some already say that it is bound to be rejected, because it does not address the cultural and political considerations that will govern Hanoi's response. I say the President has shown himself to be willing to meet the other side half-way, and we should not cry "doomed" until this proposal has been carefully studied by the other side. The kids used to have a saying, and it is worth repeating it here: Let us give peace a chance.

NEEDED: WEIGHTED VOTING IN THE U.N.

(Mr. WYMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, year after year the United States has carried a disproportionate share of the burden of maintaining the United Nations.

Today in the United Nations certain changes must be made if it is to remain to the advantage of the United States, or any other major world power, to continue as a member. One of these is that voting in the U.N. should be weighted in recognition of the realities of population and economic product. It should be measured by a formula weighted half by population and half by gross national product.

U.N. voting is no place for the principle of one nation—one vote lest we be blind to reality. In a world in which the population exceeds 3 billion people, of which the United States has less than 220 million but a substantial portion of the world's wealth and the largest of the world's gross national products, it is contrary to our national interest to continue to be bound by the votes of an international organization in which tiny islands and virtual protectorates have a vote equal to that of the United States or the Soviet Union. If such a voting structure is continued, we will be stolen blind.

It should also be made clear that the contribution of member nations to the financial affairs of the U.N. shall be in the percentage of each member nation's gross national product. With the respective GNP's determining a nation's con-

tribution, the richer countries will, of course, bear the brunt of the financial cost which is as it should and must be.

I am, therefore, today introducing a concurrent resolution expressing the sense of the Congress that the President, through the U.S. delegation to the United Nations, seek to amend the U.N. Charter to weight each member's vote, one-half to be based on population, one-half on gross national product. In addition, I am introducing a bill to limit by statute the contribution of the United States to the U.N. in accordance with the ratio of our gross national product to the aggregate GNP of U.N. member nations.

THE PRESIDENT'S ADDRESS TO THE NATION LAST NIGHT

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BUCHANAN. Mr. Speaker, in his address to the Nation last night, the President has made one thing perfectly clear. The responsibility for the failure to reach a negotiated settlement to the conflict in Vietnam and Southeast Asia lies squarely on the shoulders of Hanoi.

Everyone who knows the facts has reason to be grateful for the success of the Vietnamization program and the steady reduction in our forces and casualties which have resulted from this phase of the President's plan for an honorable and lasting peace.

The efforts revealed by Mr. Nixon last night which have taken place over many months and the reasonable and flexible proposals offered by the United States and the Government of the Republic of Vietnam make plain the falsity of the charges by the Communists and by the proponents of surrender at any price here at home that the United States has not shown willingness to negotiate a settlement.

The shoe, Mr. Speaker, is precisely on the other foot.

In the spirit of the American tradition of a bipartisan policy, the time has come for all men of reason and good will to stand behind their President in his effort to lay the foundation for a generation of peace.

The time has also come for the Communist leaders in Hanoi to take off the false face behind which they have hidden and begin an honest dialog toward the establishment of a just peace in Southeast Asia.

THE PRESIDENT'S ADDRESS

(Mr. MINSHALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MINSHALL. Mr. Speaker, President Nixon is a master statesman determined to bring peace to Southeast Asia. His eight-point peace offer is both reasonable and realistic. By opening the record to world opinion the President has presented compelling evidence of this country's good faith and strong desire for a fair settlement. It is now up to North

Vietnam. The decision of peace or continued hostilities rests clearly with them. But even so, if they continue to resist negotiating a settlement, our Vietnamization program will go on, and our troops will continue to be brought home.

I hope that the Communists will now change their recalcitrant and unyielding position and agree to a peace in Indochina.

CHATTANOOGA MANUFACTURERS' WEEK

(Mr. BAKER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BAKER. Mr. Speaker, I take a great deal of pride and pleasure in noting that the week of January 30, 1972, has been proclaimed "Chattanooga Manufacturers' Week" by Mayor Robert Kirk Walker, Judge Chester Frost of Hamilton County and Tennessee Governor Winfield Dunn.

This observance, sponsored by the Chattanooga Manufacturers Association, is designed to illustrate the significance of Chattanooga as an international manufacturing center. Products made in Chattanooga are used all over the world.

Chattanooga, the largest city in the Third District of Tennessee which I represent, is regarded the most diversified manufacturing center in the Southeastern United States. It ranks 11th among major metropolitan areas in the entire United States in manufacturing employment as a percent of nonagricultural employment.

Every day the manufacturers of Chattanooga pay \$1,300,000 into our local economy, according to the joint proclamation.

More than 590 different manufacturers, employing some 53,000 persons, make more than 1,500 products in the Chattanooga area. Almost 20,000 area residents are employed in the textile industry alone. Chattanooga is one of the leading textile centers of the Nation. But Chattanooga is certainly not a "one industry" city.

Principal industries include: fabricated and primary metals, chemicals, food products, leather goods, all types of machinery, apparel, paper products, nuclear boilers, nylon, golf equipment, bathtubs, stoves, and furniture, to name a few. Chattanooga is also the birthplace of the Coca-Cola bottling industry.

I am proud to represent the internationally important industrial city of Chattanooga as part of the scenic Third District of Tennessee.

THE PRESIDENT'S ADDRESS

(Mr. EDWARDS of Alabama asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, I rise to add my support to President Nixon's dramatic proposal for ending the war in Vietnam. He has boldly grabbed the bull by the horns and, for his efforts, should receive the un-

qualified praise of the entire free world. While it remains for the Hanoi regime to determine the outcome of the President's extremely fair and compromising bid for a cessation of hostilities, the effective impact of the entire proposal has been revealed publicly for all the world.

In broadest terms, the President has done what his critics have been harping on for so long. And he has been doing it for the last 30 months. He has told the enemy that we will withdraw our forces within 6 months of an agreement in return for the release of our prisoners of war. This is what his critics have wanted him to do and this is exactly what he has done.

Mr. Speaker, there should be no doubt in anyone's mind that President Nixon has labored long and energetically over the peace proposal he has drawn up. It is a reflection of the dedication and tireless effort he has continually pursued, since taking office, of finding a logical and reasonable plan for ending a war that was not of his making. He has provided an unforgettable service to free men everywhere.

PRESIDENT NIXON'S PLAN FOR PEACE

(Mr. HAGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HAGAN. Mr. Speaker, at this time, I believe we should support the President in his plan for peace efforts for there is no doubt but that much has gone into the working of this strategy. Naturally, it is earnestly hoped that the negotiations undertaken by the President and others will bring peace and our POW's home.

Until any action is taken or results are made known, we should be unified in backing our Chief Executive in striving for what every citizen of this land wants—an honorable and orderly ending of the war in Vietnam and our prisoners of war released and returned home to their loved ones.

I commend the President on his statements last night.

PRESIDENT'S FOREIGN POLICY

(Mr. TALCOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, I take this time to simply thank the President for the new peace initiative which he enunciated last evening. All Americans, who so fervently want peace for ourselves and for all mankind, should be grateful for the deescalation of the war, the reduction of troops and casualties, and the extraordinary, persistent, "day and night," secret and public, total efforts the President is making to achieve a true peace for the peoples of Southeast Asia.

The commendations, of some, may be in order. The exhortations, of some, to the Vietcong and the Government of North Vietnam to accept the President's offer may be in order. The political back filling, of some, is understandable. The

"wait and see" attitude, of some, is expected.

However, I, for one, simply express my gratitude to the President for his efforts, for his dedication to the cause of a permanent peace with freedoms.

If all of us would work as continuously and as conscientiously for peace and freedom as the President does, that wondrous day that we all anticipate when all mankind can live in permanent peace and freedom with each other would arrive sooner.

THE PRESIDENT'S TIRELESS EFFORTS FOR PEACE

(Mr. ARENDS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ARENDS. Mr. Speaker, it was with a great deal of pride and gratification that I listened to the President's televised address last evening with respect to the war in Vietnam and his tireless efforts to bring it to an acceptable conclusion. I am sure my feeling of pride and gratification was shared by the vast majority of the American people across the country.

It was quite clear from what the President told us the United States has gone the extra mile in efforts to settle this long and costly war. Indeed, we have gone three-quarters of the way and even farther to bring about a fair settlement.

The President explained to us much of which many did not know. Many of us did not realize the extent to which the President had been conducting secret negotiations in the hope that through secrecy he would be better able to bring about a settlement. Contrary to what some have thought, it has not been our Government but the Government of North Vietnam which has held up ending this war. It is they who have insisted that the political situation in South Vietnam be settled before a mutual withdrawal and a return of POW's can be arranged. We are willing to withdraw our troops—all of them—for a return of the prisoners of war. The President has laid before the North Vietnamese a fair proposal. If the North Vietnamese reject it, it will mean they want nothing short of our complete surrender and their being able to impose their will on the people of South Vietnam.

Having heard in detail what the President has already endeavored to do and the proposal he has now made, I most sincerely hope that the American people will unite as one in giving President Nixon, who is the President of all of us, our full support in his mission. He, no less than any one of us, wants to end this war and to end it in such a manner as to insure permanent peace.

THE REACTION TO THE PRESIDENT'S ADDRESS LAST NIGHT

(Mr. DEVINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DEVINE. Mr. Speaker, the networks are at it again. I noticed last night just as soon as the President had con-

cluded his address to the Nation—and it was an outstanding address—the network commentators immediately analyzed and reanalyzed and, in almost an incestuous relationship, began to analyze each other's interpretation of the President's remarks. Then they came back at 11:30 to do it again, and included selected comments from some of the guys in a bar somewhere on Capitol Hill.

It was interesting, if not nauseating, to hear one of the newsmen ask an interviewee: "Do you believe the President?" I consider this presumptive, arrogant, and in extremely bad taste.

I think it is unfortunate the people of this country are not permitted to make their own judgment on what the President says before it is analyzed for them. They are perfectly capable of doing this.

Then we have some in-House experts and, if Members will pardon the expression, some "out-house" experts, who are apologists for Hanoi, who have nothing good to say about the efforts of the President. Those junketeers from this body, and presidential candidates from the other body are being used by the North Vietnamese in Paris and Hanoi for propaganda purposes. The Reds are masters at exploiting reckless and thoughtless remarks by U.S. officeholders to accomplish their own ends. They do not really want a negotiation. What they want is South Vietnam.

I think we should all, both as Members of Congress, and the people of this Nation, unite behind the President in the honorable, decent and reasonable peace proposal which he introduced to the American people by way of making public what was going on in private for many, many months. I think we should all commend the President for his effort.

PRESIDENT'S POLICY IN VIETNAM

(Mr. MONTGOMERY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MONTGOMERY. Mr. Speaker, I commend the President for his peace proposal last night to the North Vietnamese and the Vietcong.

I certainly think the President has done everything in his power to bring about peace in the Far East and to give us more hope for the release of the American POW's and some information on our missing in action.

The responsibility of ending the war now rests with the North Vietnamese.

President Nixon and also President Thieu have certainly gone the extra mile to bring about peace and the release of all prisoners. I would hope the North Vietnamese will agree to these proposals but I am concerned if this enemy ever wants peace or will ever agree to anything.

PROVIDING FOR CONSIDERATION OF H.R. 6957, ESTABLISHING SAWTOOTH NATIONAL RECREATION AREA

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I

call up House Resolution 774 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 774

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the United States mining laws, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and all points of order against sections 3 and 13 of said substitute for failure to comply with the provisions of clause 4, rule XXI, are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Tennessee (Mr. QUILLEN) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 774 provides an open rule with 1 hour of general debate for consideration of H.R. 6957 to establish the Sawtooth National Recreation Area in the State of Idaho, and for other purposes. The resolution provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment and because there are appropriations in a legislative bill in sections 3 and 13 of the substitute, all points of order are waived against those sections for failure to comply with the provisions of clause 4, rule XXI.

The bill H.R. 6957 would establish a National Recreation Area in the Sawtooth Mountain region of Idaho and the existing Sawtooth Primitive Area would be designated as wilderness. The Secretary of the Interior would be required to develop a specific proposal to create a national park in the area and must submit his recommendations to Congress no later than December 31, 1973.

The area, which is predominantly owned by the Federal Government, totals approximately 755,000 acres of rugged, scenic country which is relatively undeveloped and sparsely populated, with approximately 1½ million people living within 250 miles of the area.

Provision is made for the creation of two units—the national recreation area and a separate wilderness area within

the national forest areas which cover much of the region.

The legislation provides for administration of the areas by the Secretary of Agriculture.

There is a large molybdenum deposit in the White Cloud Peaks vicinity which might justify a substantial investment. This is a mineral similar to tungsten which can be used to harden steel. Existing mineral rights would be unaffected by the legislation but no new rights could be established for 5 years.

Authorizations are limited to \$19.8 million for land acquisition and \$26.2 million for development, and the moneys may be appropriated from the land and water conservation. An additional \$50,000 is authorized for the study and formulation of recommendations by the Secretary of the Interior.

Mr. Speaker, I urge the adoption of House Resolution 774 in order that the legislation may be considered.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 774 will permit consideration of H.R. 6957 under an open rule with 1 hour of general debate. In addition, the rule waives points of order against sections 3 and 13 of the bill for failure to comply with clause 4, rule XXI, which prohibits appropriations in a legislative bill. This limited waiver is necessary because sections 3 and 13 both include indirect appropriations.

Finally, the rule makes the language substituted by the Committee on Interior and Insular Affairs in order as an original bill for the purpose of amendment.

The basic purposes of the bill are to establish a national recreation area in the Sawtooth Mountain region of the State of Idaho, to designate as wilderness the existing Sawtooth Primitive Area, to recognize the outdoor recreation values of these areas as their dominant value, and to require the Secretary of the Interior to develop a specific proposal for the creation of a national park in this area and submit his recommendations to the Congress no later than December 31, 1973.

Of the approximately 750,000 acres included in this area there are approximately 10,400 acres of unreserved public domain lands, 2,100 acres of State owned lands, and 25,200 acres of privately owned lands. The remaining 711,000 acres is presently national forest land. The proposed area would include the 216,400 acre Sawtooth Primitive Area, which would be designated as wilderness by the bill.

Extensive preliminary explorations have apparently confirmed the existence of a major ore body which might justify a substantial investment. This, of course, threatens to undermine the recreation objective of the legislation. Therefore, the bill includes several provisions bearing on the issue: first it withdraws all Federal lands within the recreation area from all forms of location and entry under the Federal mining laws for a period of 5 years, so that no new claims can be established, second, it excuses a claimholder from doing the assessment work generally required by law without losing whatever right he has established if he

files a declaration of intent to hold the claim, third, it authorizes the Secretaries of Interior and Agriculture to establish regulations to control the use of motorized or mechanical equipment on any Federal lands within the recreation area, and fourth, it precludes the issuance of patents on claims, but does not prohibit the claimant from prospecting mining or developing his claim.

Estimated cost for the acquisition of lands is \$19,802,000. Development of roads, trails and visitor facilities is expected to cost \$26,241,000. An additional \$50,000 is authorized to be appropriated to conduct a study and formulate a specific plan for the creation of a national park.

The administration supports this legislation. There are no dissenting views.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, this is the third rule which has been brought before the House in this new session. The first was a totally unnecessary rule making in order a resolution providing for the taking of a picture of the Members of the House assembled in the House Chamber. The resolution could have been approved easily without a rule. Yesterday we were confronted with a rule waiving points of order to certain clauses of rules, but nevertheless waiving points of order. Now we have another rule waiving points of order. Is there never to be an end to rules that waive points of order? Is there never to be the requirement that bills be brought to the House floor so they can be considered under normal, regular procedure?

Are we going on and on, ad infinitum, with rules waiving points of order?

Mr. QUILLEN. I would say to the distinguished gentleman from Iowa, I share his view and opinion. I should like to see these waivers eliminated from the rules. But I am one of 15 Members. In this case the waiver is absolutely necessary for the consideration of the measure.

Mr. GROSS. If the rule were defeated we would still get the legislation, but it would be under normal and regular procedures and in conformance with the rules of the House. Does the gentleman not believe that would be what would happen under those circumstances?

Mr. QUILLEN. I would agree with the gentleman. The gentleman has made a very fine point.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I am glad to yield to the gentleman from Colorado.

Mr. ASPINALL. Mr. Speaker, the two points of order which have been waived here are, of course, a part of the regular order of our congressional procedure. The Rules Committee has a perfect right to make this recommendation as it grants a rule.

Mr. Speaker, I should like to give the reason for the waiver of points of order.

First, Subsection 3(a) permits the Secretary of Agriculture to purchase land within the recreation area by using

either donated or appropriated funds. This is language customarily used when authorizing land acquisition within the National Parks System. The reference to donated funds permits the Secretary not only to accept the donation, but also to spend the donated money to acquire land without further specific appropriation. Although donations are not expected to be large, the money should be available for the purpose of the donation.

With respect to the reference to appropriated funds, the language is intended to refer only to funds appropriated to carry out the provisions of the act, and not to any other appropriations. This statement will provide a legislative history to that effect.

Second. Section 13 authorizes the appropriation of \$19-plus million to acquire land within the recreation area. The section further provides that money appropriated from the Land and Water Conservation Fund can be used for this purpose.

The waiver of points of order against this section is due to the fact that the language of the section is not as tightly drafted as it might have been. The intention of the section is to permit not more than \$19-plus million to be appropriated to acquire land for the project, and to permit the money to be appropriated from the Land and Water Conservation Fund. By making this statement I intend to make a legislative history to that effect.

Mr. QUILLLEN. Mr. Speaker, I thank the distinguished chairman of the Committee on Interior and Insular Affairs for his fine explanation.

Mr. Speaker, I have no further requests for time.

Mr. YOUNG of Texas. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Committee on Rules, the gentleman from Mississippi (Mr. COLMER).

Mr. COLMER. Mr. Speaker, I was very much interested in the statement of the distinguished and lovable dean of this House, the gentleman from New York (Mr. CELLER), about the hearing that he proposed to hold on the busing amendment.

Mr. Speaker, I have great affection for the gentleman from New York, the chairman of the powerful Committee on the Judiciary.

This joint resolution for a constitutional amendment to prohibit widespread, all-encompassing busing of children from one neighborhood to the other for purely the purpose of bringing about so-called racial balance is threatening our whole public school system.

This constitutional amendment had been reposing in the Committee on the Judiciary, of which the distinguished gentleman is chairman, for many months. As one of the great friends of integration, he has possibly done more toward bringing about forced integration in the hands of an all-powerful Federal Government than anybody else. He is wedded to that concept. I think he is honest and conscientious in trying to do that very thing.

Now, it is true that at the conclusion of the first session of this Congress, my good friend made a statement here to

the House that he proposed to have hearings on that matter this year. This afternoon he has announced that, beginning not tomorrow but March 1, he is going to have hearings. I assume those hearings will be very lengthy.

Now, without any suspicion or castigation or casting aspersions upon my friend, I am also conscious of and call the attention of the House to the fact that there is a petition here to discharge his committee, as well as my committee, from the further consideration of that joint resolution.

The rules of the House prevent the disclosure of who has and who has not signed that discharge petition, and I cannot violate them. I have not personally signed it, as much as I would like to have signed it, because I did not want to be put in the position of signing a discharge petition to discharge my committee from a bill that has never been before it. Otherwise I would have gladly signed it.

Now, that petition is growing, so I am advised. The press says it is. The thing that bothers me is that these hearings could and likely would continue indefinitely. We have seen and experienced other such hearings that did extend for a long time only to come up toward the end of the session with a report from the Committee on the Judiciary that the legislation was not justified. And, of course, then it was too late to seek other remedies.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I shall be happy to yield to the gentleman from New York in just 1 minute if the gentleman will permit me to complete my statement. Of course, I am going to yield to my friend.

Now, I would again call attention to the fact that under the rules of the House the Committee on Rules has the power to report out a resolution bringing to the floor that bill or resolution that has been bogged down in another committee. It is a drastic procedure, but it is one that has been used in the past, and used successfully.

As one who occupies the position of chairman of the Committee on Rules, I dislike the idea of using that drastic procedure in except the most compelling circumstances.

There is pending before the Committee on Rules now a resolution in which a substantial number of Members of this House have contacted us that would do that very thing if adopted by my Committee on Rules.

I repeat, I do not like for my committee to be forced to exercise that power that it has. But on the other hand, Mr. Speaker, this is such a serious matter. This is something that affects every child in the United States. This is something that has divided our people not only in my great section of this country but in all sections of this country. It is a live issue in many States of the so-called North, and it is going to grow and grow and grow unless something is done about it.

Now, according to the press, a judge—in his wisdom or lack of wisdom as the case might be—down here in our neighboring State of Virginia went further

than any court has ever gone or any legislative enactment has ever gone, has issued a decree, if I understand its contents correctly, that would not only permit, but authorize, not only authorize but order that children would be bused from two counties in order to bring about the objective of racial balance.

This is a very serious matter. According to the press reports it would require as much as 2 hours, under that decree, to transfer a student from one geographical section to the other. One does have to wonder why mothers and fathers are concerned about their children and this is not confined to the black or the white races. The parents of small black children are concerned, and have a right to be concerned about taking their child of tender age, as well as the white parents, and transferring them back and forth for as much as 2 hours a day. The people of this country are concerned about this, and something should be done about it.

I want to emphasize, not only to this House, but particularly to my friend, the gentleman from New York who sits in this seat of the mighty, to take appropriate action so that the Members of the House may pass upon this question and discharge their obligation to these anguished parents.

This matter affects the welfare of all children now and the children who are to be educated in the future. And the parents are rightly concerned about this situation. Efforts have been made here in the House by adding riders to appropriation bills, and other authorization legislation, to do something about this, but nothing has been done yet. It is apparent that a constitutional amendment such as the one now pending in the House Judiciary Committee is the answer.

This threatens your neighborhood schools. The President of the United States himself speaking in this Chamber only last week called for the preservation of our neighborhood schools. It is obvious that forced busing for racial purposes and the neighborhood schools are incompatible.

You cannot preserve the neighborhood schools and bus children across our great urban centers from one end to the other and from one county to the other—and no doubt the next step will be from one State to the other. All under the false concept of trying to bring about a social gain of integration.

Now I am pleased to yield to my distinguished friend from New York (Mr. CELLER).

Mr. CELLER. Mr. Speaker, I want to say, I understand the perturbation and anxiety of the gentleman from Mississippi for whom I have the most high regard. I must say that I assumed the responsibility of conducting these hearings fully recognizing that so much impends.

I want to emphasize to the gentleman from Mississippi that the resolutions before us propose not mere statutes—rather they propose amendments to the Constitution. Constitutional amendments cannot be cavalierly considered. They must be most carefully examined.

The Committee on the Judiciary is not just EMANUEL CELLER. There are 38 members on the committee—all lawyers, wise and skilled in law and with considerable expertise, men who are able and dedicated. They will focus their attention upon this very vexatious problem and after receiving testimony from Members of Congress, and members of civic and professional organizations. It is hoped that after a distillation of these views, we will be able to come up with something that might obviate the need for a constitutional amendment and, that might respond to the difficulties that are presented to many people in various communities, not only in the South but also in the North.

I am one of those who recognizes completely the complexities and the difficulties of this situation. But we must be very chary about putting a matter into a constitutional form.

We cannot make of our Constitution merely a code of ordinances. That is quite contrary and foreign to the wishes and purposes of our constitutional fathers. If something can be done by statute rather than by the constitutional amendment method, I am sure you will all agree that we should choose the former.

We are going to wrestle with the problem, difficult as it may be, and converge upon that difficulty all the ingenuity, dedication, and knowledge that 38 members of the Committee on the Judiciary have, with the hope of coming up with some solution. So I am going to ask the gentleman from Mississippi and all others interested to be a little patient. You know, patience is bitter but there is rich fruit. I hope that we can partake of that fruit.

As I indicated a little while ago, these hearings will commence on March 1. We are gathering together the many witnesses who have expressed a desire to testify, and we are arranging a program. That takes time, but we are very hopeful of the results.

Mr. COLMER. Mr. Speaker, will the gentleman permit me to say a word at that point?

Mr. CELLER. Yes, surely.

Mr. COLMER. Again with all due deference to my friend and dean, as one senior Member to another—

Mr. CELLER. If the gentleman will yield further for only a moment, may I suggest that he and I are mindful of what Robert Frost said:

The woods are lonely, dark and deep,
But I have promises to keep;
And miles to go before I sleep,
And miles to go before I sleep.

That is your position and mine.

Mr. COLMER. Let me say to the gentleman that I find it very difficult to compete with him in matters of legislation. His mind is so much sharper than mine. He is so much more able to operate his committee than am I, and I certainly would never undertake to compete with him in poetry.

I should like to recall one of Aesop's Fables. I believe it was Aesop. A little shepherd boy was supposed to watch the herd of sheep and to cry "wolf" whenever the herd might be in danger. But he

overplayed his hand. He wanted to have some fun. He would sound the bugle when there was no wolf. He kept that up until nobody paid any attention to his cry. When the wolf finally appeared, he blew the bugle and no one came to the rescue.

I hate to have to spell it out, but in my crude way let me say to my good friend, with all loving kindness, that he has blown the bugle on so many previous occasions about having hearings when things got tight that some people may be a bit constrained not to hear the bugle at this time.

Let me wind it up with this if I may. Could the gentleman—and I think I know what his answer is—say to us now that within a certain period of time he is going to make a report on this matter from his committee? Could he give us some idea?

Mr. CELLER. I cannot give the gentleman a yardstick, I cannot give him a certain date, but I said it would not be interminable and that we would act expeditiously. We are having, I believe more than 80 Members of Congress wish to testify as well as others, but we are not going to unduly prolong the hearings, I can assure the gentleman of that.

And as to playing music, it may be a pipe I was playing, but now it is a real blast I am giving, and that blast will be meaningful.

Mr. COLMER. Let me in reply to that call to the attention of the gentleman the fact that we have a resolution here to investigate a certain jurist. That was before my committee. The gentleman announced that he was going to hold hearings on that, and after a time he did. What I am trying to say to my friend is: This thing is of such encompassing importance and the time is of such essence that we would like to see some action on this resolution—and action soon, rather than to have the report of some nature, either good or bad, approving or disapproving, come up here in the latter part of this session when it is too late for other appropriate action to be taken.

Mr. YOUNG of Texas. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. WAGGONER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 7]

Alexander	Blanton	Coughlin
Annunzio	Elatnik	Dellums
Ashbrook	Bow	Diggs
Aspin	Cederberg	Downing
Baring	Clark	Dwyer
Barrett	Clay	Edwards, La.
Bell	Conyers	Esch
Blackburn	Corman	Eshleman

Evins, Tenn.	Kee	Rees
Flynt	Lennon	Rhodes
Foley	Long, La.	St Germain
Frelinghuysen	McClary	Scheuer
Fuqua	McKinney	Shipley
Galifianakis	Madden	Sisk
Gallagher	Mailliard	Smith, Calif.
Gray	Martin	Stanton,
Green, Oreg.	Mills, Ark.	J. William
Griffiths	Mitchell	Stephens
Harvey	Moorhead	Thompson, N.J.
Hawkins	Morse	Tieman
Hébert	Nelsen	Waldie
Heckler, Mass.	O'Hara	Wampler
Hull	O'Konski	Widnall
Ichord	Pryor, Ark.	Wolf

The SPEAKER. On this rollcall 360 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SAWTOOTH NATIONAL RECREATION AREA, IDAHO

Mr. TAYLOR. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6957, to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6957, with Mr. MATSUNAGA in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from North Carolina (Mr. TAYLOR) will be recognized for 30 minutes, and the gentleman from Kansas (Mr. SKUBITZ) will be recognized for 30 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. TAYLOR. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Chairman, I am pleased to rise in support of the enactment of H.R. 6957, as reported by the Committee on Interior and Insular Affairs. At the beginning of my remarks in this particular instance, as in many other instances, I wish to commend the chairman of the subcommittee having jurisdiction over this legislation, the gentleman from North Carolina (Mr. TAYLOR) and his counterpart, the gentleman from Kansas (Mr. SKUBITZ) and the members of the subcommittee for the fine work they have done on this particular legislation.

I would be the first one to say to the Members that this has been a controversial piece of legislation, and I would be the first one to say to the Members that the legislative process, properly and effectively handled, as in this instance, has brought to the Committee of the Whole what I consider to be one of the

finest products that has come out of our committee for a long time.

This kind of legislation is most difficult, because there are people sincerely oriented to their positions who desire to be heard on this and that point. They press their positions. It makes no difference whether they are representative of the mining interests on public lands, whether they are representatives of the grazing interests on public lands, whether they are representatives of the forestry interests on public lands, or, whether they are representatives of the recreational groups on public lands—preservationists, general recreationists, conservationists all.

To take a piece of legislation such as this and to bring into harmony the differing issues which are involved takes real work and dedication.

Now, this legislation, more than likely, is not going to please everybody in all particulars. And it is going to displease many people in some particulars.

It is rather difficult when people become so interested in their points of view that they become zealots. There is nothing wrong with being a zealot, but they make it difficult for any compromise operation to take place. It is rather difficult for us here in the Congress to understand, with the expertise we have, the position of some of those outside who consider themselves to be the super experts in all these particulars.

To bring into focus legislation such as we have prepared in this particular instance takes, in my opinion, a real understanding of the legislative process.

We have not tried to hurt anybody; we have tried to help our people, all of them. This has been our endeavor.

Members will find that those who have not been able to get 75 or 85 or even 90 percent of their desires and their views oftentimes immediately form a phalanx of opposition. Now life is not built upon this sort of proposition and upon this kind of procedure. We have to live together.

When we create a wilderness and a recreational area, perhaps leading to a national park sometime in the future, of this area, of course we have to be mindful of the interests of all. That is what this committee has tried to do.

As everyone knows, this legislation was introduced by our colleagues from Idaho—Representatives HANSEN and McCLURE. As reported, the bill represents many hours of deliberations, including hearings both in Washington and in the field and markup session both in subcommittee and in the full committee.

SIZE AND DESCRIPTION

In its amended form the bill provides for the creation of two distinct areas—a national recreation area and a wilderness area. Together the two units comprise more than 750,000 acres of some of the most spectacular mountain country in the Nation.

Both units are to be administered by the Forest Service under the purview of the Secretary of Agriculture. The wilderness area—which comprises some 216,000 acres—will be governed by the terms of the Wilderness Act just as all

other wilderness areas are administered. But the recreation area—which comprises about 537,500 acres—will be administered in accordance with the special provisions of this legislation, if enacted.

Now it should be noted that there are many values in this area—there are proven mineral values, there are some timber and grazing values, there are water resource values, and there are significant recreational values. H.R. 6957 would create a national recreation area which would not foreclose forever the utilization of these resources, but it would make the recreational value of the area predominant.

LAND OWNERSHIP

Most of the lands involved are already federally owned. Nearly 500,000 acres of the proposed recreation area and all of the lands in the proposed wilderness area are already within the national forest system. In addition, about 10,500 acres of land are public domain lands administered by the Bureau of Land Management. Only slightly more than 25,000 acres of private lands are involved.

For the most part, the privately owned lands are ranchlands which are totally compatible with the recreation area as long as they continue in their present use. There are, however, some lands that have been subdivided and it was estimated in 1970 that there were approximately 1,700 lots ranging in size from $\frac{1}{8}$ to $\frac{1}{2}$ of an acre. In order to attempt to prevent the proliferation of these subdivisions, the legislation provides that the Secretary shall establish standards for the use of private lands located within the boundaries of the recreation area. Owners complying with these standards are to be free of any threat of condemnation of their lands, but owners whose activities make it apparent that they do not intend to comply may be subjected to condemnation proceedings.

Except for the authority to acquire nonconforming lands by condemnation, the power to acquire lands is limited. Not more than 5 percent of the privately owned lands are authorized to be purchased for access to public property or for the development of public facilities. The rationale for this provision is that the Federal holdings in the area are so extensive that lands need not be purchased just to satisfy development needs.

COST

Hopefully, most of the landowners will comply with the standards when they are established so that land acquisition costs can be minimized. In all likelihood, however, some lands will have to be acquired. For this purpose, the bill authorizes \$19.8 million, if needed, for land acquisition and provides that these moneys are to be appropriated from the Land and Water Conservation Fund.

Development plans for the area contemplate the installation of various visitor facilities—campgrounds, picnic areas, sanitation facilities, visitor information centers, and interpretive facilities—and administrative facilities and the construction or reconstruction of numerous roads and trails in the area. To carry out this program, the bill authorizes the appropriation of \$26.2 million.

Mr. Chairman, in general, the present

public policy encourages the exploration for and development of the mineral estate of the public domain. To this end, the mining laws enable individuals to locate mineralized areas and to establish mining claims. A valid claim is a property interest which is protected as long as the claimholder completes the annual assessment work required by law. Any person having a valid claim is entitled by law to proceed to patent.

It is an acknowledged fact that some valid mining claims exist within the recreation area and that many other claims may or may not be valid. It is also recognized that extensive surface disruption could adversely affect the values which the Congress seeks to protect by the terms of H.R. 6957. For this reason, the committee has developed innovative language to deal with this complex situation.

PROVISIONS OF H.R. 6957

Under section 10, all Federal lands within the recreation area are withdrawn from all forms of location and entry under the mining laws so that, for a period of 5 years, no new claims can be established after the enactment of the bill. Existing claims, however, are not affected by this withdrawal so that a claimholder would still be required to do annual assessment work in order to protect his interest. This assessment work can result in some unnecessary disruption of surface values which would be avoided under the 5-year moratorium established by the bill. Under this provision, the claimholder may continue to prospect or develop his claim, but he is not required to work it actively. Instead, he may merely file notice that he wishes to retain his claim in order to protect his interest.

The Forest Service does not presently have authority to prohibit ingress or egress to or from a valid mining claim. This legislation does not grant such authority, but section 11 provides for the promulgation of appropriate regulations to protect the surface values of Federal lands including regulations to control the use of motorized or mechanical equipment for transportation over, or alteration of, the surface of the Federal lands.

As I have pointed out, any person holding a valid claim is entitled to proceed to patent and thereby acquire fee title to the lands involved. Section 12, in effect, extinguishes that right with respect to lands located within the recreation area. While this probably creates a right to some compensation, its value may not be too significant since the right to prospect, develop, and mine the claim is protected by the terms of the bill.

In short, Mr. Chairman, the committee has attempted to protect this area without unjustly or unlawfully depriving any person of an established property right. The provisions of H.R. 6957 are unique and untried, but we feel that they offer a strong measure of protection for the recreation area which would not exist in the absence of this legislation.

Without this bill the vast area involved could not be withdrawn from future location and entry under the mining laws so that the establishment of new claims

would undoubtedly continue; existing claims would continue to be subject to the annual assessment work requirement so that surface disruption would continue; the authority to regulate the use of motorized equipment for access to patented and unpatented claims would be questionable; and the right to proceed to patent on a valid claim would be totally unimpaired.

It is my firm belief that anyone who says that this bill does not provide any additional protection for this area either has not read the bill or does not understand its provision vis-a-vis the present law.

Mr. Chairman, the bill, as introduced, contained some restrictions on the authority of the Secretary to acquire privately owned lands. Since the Federal holdings in the State of Idaho are so extensive—particularly in this area—the members of the authorizing committee agreed that some limitations on the acquisition authority were warranted.

In this case, out of approximately 750,000 acres, some 723,000 acres are federally owned. There are 25,214 acres of privately owned lands—approximately 700 parcels, including about 600 subdivision lots—and 2,170 acres of land owned by the State and its political subdivisions.

Under the terms of the bill, section 3, the Secretary is authorized to acquire any private lands within the boundaries of the recreation area, by negotiation, in carrying out the purposes of the legislation, but he may not, under any circumstances, acquire more than 5 percent of the privately owned lands—1,260 acres—for:

First, access to or utilization of public property, or

Second, for recreation or other public facilities.

The thrust of this provision is to require the Secretary to utilize existing Federal holdings for these purposes rather than acquiring the private lands.

A substantial portion of the privately owned lands are presently being used for ranching purposes. Such activities do not interfere with the objective of the legislation; on the contrary, they are picturesque additions to the setting which are characteristic of the West. No one wants to preclude their continuation, but we have been confronted with some rather unpleasant results where we have assumed that such lands would remain agricultural after giving the locale national recognition.

In order to avoid repeating those unpleasant results, section 4 of the bill authorizes the Secretary to establish standards for the use and development of privately owned lands within the recreation area. Owners complying with these standards shall be free of any threat of condemnation of their lands, but owners who do not comply or whose activities strongly suggest that they do not intend to comply with such standards may be subjected to condemnation proceedings. Of course, the owner of any lands acquired by eminent domain proceedings will be entitled to just compensation as determined by law.

Mr. Chairman, there has been a long

standing controversy concerning fish and game management on Federal lands. The States have contended, generally, that this function falls within their jurisdiction; the Federal Government—particularly, the Interior Department—insisted that it had authority to restrict hunting and fishing on Federal lands.

As a result of this dispute, practically all enactments authorizing national recreation areas, national seashores, and national lakeshores, and other comparable units have included provisions on this subject. Most of them allow these activities to continue, but provide that zones may be designated where, and periods when, no hunting and fishing shall be permitted. In making such determinations, the administering authority is required to consult with the State Game and Fish agencies.

In almost every case, the Secretary has been given specific authority to restrict hunting and fishing where that is necessary for public safety, administration, or public use and enjoyment, but in several others, he has also been given authority to prohibit such activities if he determines that such action is required for fish and game management.

If the bill is enacted as recommended, then the Secretary could prohibit hunting and fishing only for the reasons of:

First, public safety;

Second, administration;

Third, public use and enjoyment; and

Fourth, fish and wildlife management.

In effect, the committee recommendation represents the belief that the Secretary should be able to close this area to fishing and hunting if he thinks that is necessary in order to accomplish the purpose of this legislation.

Mr. Chairman, in recommending H.R. 6957, the Committee on Interior and Insular Affairs has attempted to resolve some of the basic problems involved in the Sawtooth country. It is difficult to satisfy all groups when decisions must be made, but we feel that the bill is a reasonable approach at this point in time. Undoubtedly, a later Congress will be confronted with a proposal to establish a national park in this area. At that time, I hope that all of the pertinent information will be available so that the decision can be made on the basis of a sound, constructive, and persuasive case.

I feel that a case has been made for a recreation-wilderness area complex at the present time and I commend H.R. 6957, as amended, to my colleagues and urge its adoption by the House.

Mr. Chairman, I wish all of the members of the Committee of the Whole House on the State of the Union to understand in making your decision that here is a large wilderness area which presently is a primitive area. It will be covered under the terms of the Wilderness Act, immediately into the Wilderness Act, and there is another area twice as large that will be used for recreational purposes.

Mr. Chairman, this is a good bill and it deserves the approval of the House.

Mr. SKUBITZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the ranking minority member on the Subcommittee on Na-

tional Parks and Recreation, I rise in support of H.R. 6957, a bill to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the United States mining laws, and for other purposes.

The purposes of the bill are:

First. To establish a national recreation area in the Sawtooth Mountain region of the State of Idaho to be administered by the Secretary of Agriculture;

Second. To designate as wilderness the existing Sawtooth Primitive Area to be administered in accordance with the provisions of the Wilderness Act;

Third. To recognize the outdoor recreation values of the areas as their dominant values; and

Fourth. To require the Secretary of the Interior to develop a specific proposal for the creation of a national park in the area and to submit his recommendations to Congress no later than December 31, 1973.

About 755,000 acres of some of the Nation's most scenic mountain area located in south-central Idaho are involved in this proposal and are expected to serve the recreational needs of about a million and a half people living within 250 miles of the area.

The Sawtooth National Recreation Area will comprise approximately 537,500 acres and be administered by the Secretary of Agriculture.

Section 2 of the bill specifies that management of the area is to be in a manner which will protect and conserve the fisheries in the area; conserve and develop various inherent outdoor values contributing to recreation and that management of the resources on other Federal lands is to be accomplished so as not to interfere with the recreation area.

Private property in the area, of which there are 25,200 acres, mostly in ranch use that lends itself scenically to national recreation area objectives, will be protected so long as that use remains consistent with the national recreation area objectives.

Hunting and fishing will be allowed in accordance with Federal and State laws and the status quo is preserved regarding Federal-State water rights.

The existence of molybdenum in the White Clouds region of the National Recreation Area, the existence of some valid claims, and the possibility that more will be filed, presents the potential development of an incompatible use within the National Recreation Area, although the value of these claims has not yet been and probably cannot be determined. The Committee on Interior and Insular Affairs was faced with the choice of excluding the White Clouds area from the National Recreation Area or limiting future mining within the area. Since the committee determined that the area's chief value was for recreation, although acquisition of existing mining claims at this time was not justified, it included provisions in this legislation which limit future mining for 5 years, preserve claimholders' rights, authorize regulatory control of mechanical equipment within the area, and preclude the is-

suance of patents, while permitting development of existing claims.

Also included are provisions requiring a study of the area for potential wilderness designation and a directive that the Secretary of the Interior develops a specific national park proposal within the National Recreation Area for submission to Congress by December 31, 1973.

This bill will also designate about 216,400 acres of land, formerly designated primitive, as the Sawtooth Wilderness Area. That area will be administered in accordance with the Wilderness Act.

About 216,400 acres of the area qualify for designation as wilderness.

The U.S. Department of Agriculture, which presently administers most of the area under consideration, recommended enactment of the legislation and the Department of the Interior indicated that no objection to enactment if amended. The Committee on Interior and Insular Affairs carefully considered the recommendations of both Departments, and numerous amendments, and accordingly revised the text of the bill. As is the committee's usual practice, it placed ceilings on amounts authorized to be appropriated for land acquisition and development. Amounts authorized to be appropriated for land acquisition are limited to \$19.8 million and development to \$26.2 million. Amounts for land acquisition are authorized to be appropriated from the land and water conservation fund.

This is a good bill for a very good purpose. I urge the support of my colleagues for its passage.

At this time, Mr. Chairman, I would like to yield 5 minutes to my colleague, the gentleman from Idaho (Mr. McClure) who is also a member of the Subcommittee on National Parks and is perhaps more familiar with the bill than any other member of the committee.

Mr. McClure. Mr. Chairman and my colleagues, I thank the gentleman for yielding this time to me and appreciate the opportunity of making a brief statement concerning the nature of this legislation.

Mr. Chairman, this legislation is important not only to the State of Idaho but to the Nation.

I think the gentleman from Colorado, the chairman of the full committee, has made a very good statement concerning the nature of the area and the import of this legislation.

I want to emphasize just a few points, however, that may not be apparent from the face of the record and from the bill itself.

Mr. Chairman, this bill represents another step in the long process of making a final determination of resource use of this section of Idaho. It is not the final step, but it is an important step that must not be omitted if we are to come to a solution of some of the controversy that rages over the allocation and use of this section of this very beautiful and very important land resource of this country.

This bill has the unanimous support of both the Members of Congress and both Members of the other body serving the State of Idaho. It is the result of many, many meetings on our behalf with many people in Idaho, as well as the offi-

cial hearings and meetings among the Idaho delegation to determine what should be our course of action and it was as a result of these efforts that we introduced identical legislation both in the House and in the Senate.

Mr. Chairman, the Sawtooths have been a matter of considerable local and national discussion since 1911 when it was first proposed that the Sawtooths be included as a national park, but the matter has gone from crisis to crisis and from controversy to controversy during all of this long history with no resolution.

We think now that this important step we are taking in this legislation is vitally necessary if we are going to protect this beautiful area of the country. It is important to understand that there are public and private lands. There are various interests involved. There are two or three separate mountain ranges involved. The Sawtooths have been discussed for the last 60 years. The White Clouds and Boulders were injected into the discussion only very recently in national perspective. So I think it is necessary that we remember the distinction between the two areas because they are at varying stages of readiness for final solution.

But the real import is to find a way in which we can provide a protection for all of the area while we are trying to resolve some of the remaining controversies for portions of the area.

It can be said that no bill is necessary, that the majority of the land is in public ownership, and nothing would change if we do not pass this bill, but even those portions of the public lands that are involved here, which is the great majority, are provided greater protection by the passage of this bill either under the Wilderness Act, or under the regulations and restrictions that are involved in this legislation. It needs no explanation at all to know that beautiful valleys that are threatened with subdivisions which would destroy the character which gives them their uniqueness must have some kind of a structure for governmental intervention in private decisions that will provide the greatest protection for the public good with justice to the private property owners.

So this bill is not worse than nothing. This bill may be less than some desire, but it is a very vital and important step forward in protecting the area.

I think the criticisms that have been leveled at the mining that has been done in the area, or that is projected, again underscore the necessity, the absolute necessity, for revision and updating of the mining law, the major body of which was formulated in 1872.

I have introduced a measure which would be a complete rewrite of the basic mining law of this country to deal with the problems, but we cannot wait until that comprehensive legislation is completed to move to provide protection here.

I want to point out that we have in this legislation created one of the changes that is necessary or desirable in this respect in providing that there shall be during the next 5 years no requirement for doing annual assessment work on mining claims. This is done to protect the surface value, rather than requiring a disruption of the surface in order to

maintain the validity of those claims as the law now requires. If we did not pass this law we would not make that basic change.

It is charged that this bill is for the miners. It is not. It is to provide a protection for the land, and for the scenic and recreational values of land. This bill does impose new regulations and gives the Secretary new authority to regulate the surface uses and operations. It contains a prohibition for the next 5 years against any new mining claims in the area, which is not the case if this bill is not passed.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. SKUBITZ. Mr. Chairman, I yield 3 additional minutes to the gentleman from Idaho (Mr. McClure).

Mr. McClure. Mr. Chairman, I thank the gentleman for yielding me the additional time.

Mr. Chairman, the bill also contains the provision, which I suggested, that we prohibit any even valid claims from ripening into patents. I find no reason at all that we should grant a fee simple title to lands within the area, and then have to purchase those titles back, when we can by this means hold it in status quo and only recognize the rights of the mining claimants to the minerals in place in this land.

It is charged that the language in the bill that grants special use permits in conjunction with valid mining claims enlarges the rights of the mining claim holders. It is the intention of the authors of this legislation that this not be true.

We are not trying to enlarge their rights. We are trying to guarantee that those rights are not diminished by the passage of this legislation.

If anyone can point out to me a different kind of wording which accomplishes that in a more precise way than the language in the bill, I would welcome that advice. But this, in our opinion, is the way to guarantee to these people that they are not being robbed of their private property rights as a result of the passage of this legislation—but certainly not to enlarge or increase those rights.

Yes, this bill is not perfect. The committee adopted some amendments with which I do not agree, on the exclusion of the wilderness area from the boundaries of the recreation areas and the transfer of the fish and wildlife management functions from the State to the Federal agencies with which I personally disagree. But again in our legislative perfection, there are some areas of compromise and difference of opinion and in spite of my criticism of those two particular provisions, I support this legislation. I think on balance, it is good and I am supporting it even with those things in it.

I want to point out a matter which has not been very widely understood and that should be made very clear. The Wilderness Act directed that all primitive areas be studied. The wilderness study directed by the Wilderness Act for the Sawtooth primitive area has been completed. Hearings were held and data was developed with respect to the mineral surveys and relative resources uses. A report was filed.

We acted in pursuance to that wilderness report. At my suggestion the com-

mittee enlarged the primitive area boundaries to include every area of suggested inclusion and to refuse to exclude every area save one small one that was suggested in the report be excluded from the permanent wilderness area boundaries.

So the wilderness area outlined in the official report, was preserved and extended. That was done by the committee at my suggestion as we were marking up the bill.

I think it is important to recognize the distinction between the Sawtooth area and the White Clouds-Boulders area because the studies on the Sawtooth have been completed. The land use study instituted in the White Clouds and Boulders by the Forest Service has another year to run. The minerals study under their direction has 2 more years to run. The National Park Service is directed to present a specific proposal to be completed, but no later than the end of 1973.

The studies within the White Clouds and Boulders areas are only now underway and we need time that is granted by this bill to gain additional facts.

I do not think it is fair to say that this legislation does not affect old mining claims—of course, it does, in several very significant ways.

Last year I included this topic in my annual questionnaire to people in my district. A little over 10 percent favored a National Park, about 12 percent favored a National Recreation Area, while over 25 percent favored a combination Park-Recreation Area complex. At the same time, however, over 40 percent said no new legislation should be passed. A statewide poll in October gave almost exactly the same results. Thus, while slightly more than half of those giving an opinion wanted something done, they did not agree upon what, and nearly as many said "leave it as is."

At this time I would like to read into the RECORD my statement which appears in the Record of the Committee on Interior and Insular Affairs on H.R. 6957, Serial No. 92-13 as follows:

STATEMENT PRESENTED BY HON. JAMES A. MCCLURE, FIRST CONGRESSIONAL DISTRICT, IDAHO

Mr. Chairman, it is said that confession is good for the soul, and while the condition of my soul is not my primary concern in this hearing, and is of very little concern to this Committee, nevertheless, I must confess that before you sits a somewhat uncertain member of this Committee. Before I have completed my remarks you will see this, I am sure, and my confession will have been unnecessary.

My uncertainty is composed of two main elements, the first less important, and the second very important.

The measures before this subcommittee are H.R. 5999 by my distinguished colleague Mr. Hansen of Idaho's Second Congressional District, and S. 853 by my very good friends, and able representatives of the people of my State, Senators Len B. Jordan and Frank Church. You have already heard from them, and they have very capably presented to you a very general picture of what is encompassed in the proposed legislation. Since the major areas of this proposal lie in Idaho's Second Congressional District, I will leave the discussion of the technical details of the legislation to my very able friend, Con-

gressman Orval Hansen, the author of the House bill before us. I should note in passing, that this legislation has the same objectives as that proposed by his predecessor in the Congress, the Honorable George Hansen, a former member of this House Committee on Interior and Insular Affairs. Administration witnesses will, of course, also provide detailed explanation.

You have heard the description of the beauties of this unique area of my State and our Country in the remarks of my colleagues from the other body, and you have before you some pictures and other materials which graphically portray the unique splendor of this mountain paradise. And this leads me to the first of my uncertainties. I have seen several of our National Parks and some areas which have been proposed for Park status. Last year I had the privilege of visiting the North Cascades in my neighboring State of Washington and participated in the field hearings on the Park and Recreation Area proposals, and, with all due respects to that very beautiful mountain country, I must assert that the Sawtooths are their superior (or at least their equal) in beauty and very much their superior in the potential for visitor enjoyment and recreation.

I am, however, persuaded that time is of the essence if the setting is to be preserved as the overwhelming public sentiment in Idaho favors. Some years ago, Senator Church proposed that the entire area be designated as a National Park. The local reaction was instantaneous and adverse. Later the Recreation Area concept was advanced and Senate field hearings held on bills on each concept. It quickly became apparent that the Recreation Area bill has strong support while the National Park concept will immediately raise strong local opposition.

The proposed Sawtooth National Recreation Area has long been a favorite playground for many Americans. As its popularity and reputation has grown, however, the problems of efficient and appropriate land management have correspondingly increased.

I appear before you to outline a proposed designation of the area as a National Recreation Area. My thoughts and the proposal are a product of intensive and cooperative study on the part of the Idaho Congressional delegation. We have tried to incorporate into this proposal the suggestions of the Forest Service, the mineralogists, the conservationists, and the many hundreds of outdoorsmen who have contacted the delegation over the past few months to offer their opinions on the future of the Sawtooths. We have tried to cement these views to a sound, economic approach which will benefit the surrounding counties, the State of Idaho, and the Nation as a whole.

While I recognize that the earlier Park proposal was overwhelmingly rejected in favor of the Recreation Area concept, I still believe that a properly formulated Park and Recreation Area bill could gain acceptance and approval. This, I believe, should place the Sawtooth Primitive Area and the adjoining public lands on the East in a National Park, protected and supplemented by a National Recreation Area covering the approaches and valley floor. I believe this to be a superior proposal, but I am nevertheless prepared to, and do, give the proposed bill my unqualified present support, because I believe that it is absolutely imperative to move now—and this bill is not surrounded by that controversy which will delay its acceptance.

The Senate amendment including the White Cloud area, however, presents an entirely new dimension to the discussion. The Senate adopted this amendment since this hearing was scheduled (and this hearing was originally scheduled only on H.R. 5999) and on the day the House recessed for the 4th of July weekend. I first knew of it when I

read it in the newspapers in Idaho. Only one week has elapsed, which is not sufficient time to give notice to the people affected and to afford them an opportunity to analyze its consequences and to prepare testimony and appear here today. No hearings, either in Washington or in the field have been held by either this body or our counterpart in the other body, concerning the effects of the legislation on the lands included by the Senate amendment.

The pressing for a management proposal affecting this area came to light when the word spread of plans for an open pit mining operation at a molybdenum claim at the base of Castle Peak in the White Clouds. For some time prior to this, others had been considering the management needs of the adjacent Sawtooths.

Like the Sawtooths, the Clouds are beautiful, imposing peaks. Understandably, those who have camped and hunted in this area for years sprang to the defense of the natural scenic beauty of an area which can be considered classic among Idaho's many mountains. There was widespread feeling that any mining operations in the general vicinity would despoil the natural beauty.

On the other hand, many people took the position that Idaho desperately needs to develop commercial use of her natural resources. In addition the economy in the communities surrounding the Sawtooths and the White Clouds is particularly depressed, and it was felt that the mining operation—in which many millions of dollars would be involved in both expenditures and profit—would provide an overwhelming boost to the local economy. Obviously, the State of Idaho would realize a goodly share of individual corporate taxes.

I think it is generally conceded that the timber resource is not a large one, but its exact potential is not known. I believe that we should have better information than I now have.

According to information contained in the debate in the other body, grazing in the areas affected by the Senate amendment consists of 700 cattle and 2,500 sheep for two and one half months. This, it is true, is not a large use, but can be compared to private land animal support values approximating \$150,000 in market value. This is a small figure when judged in national scope, but may be staggering to the individuals involved. This I think we should know.

I hasten to add that I know that these uses may not be totally eliminated, and may not be even marginally effected by the restrictions of a National Recreation Area. Again, I think we need to know.

The question of mineral values, however, becomes one that may stagger the imagination. Reference should be made to the Sawtooth Mountain Study Area report and the number of claims found to be in existence—but I should caution that this covers more area than is covered by even the Senate bill as amended. Just as one indication, however, let me point to the prospective development of the molybdenum deposit which is in such current controversy. I am told that the present exploration indicates the existence of an ore body of at least 70,000,000 tons, with the reasonable expectation that it is twice that size and may be three times that size. At the expected rate of recovery of the metal and at present market prices this shows total values of at least 1/2 billion dollars and may be as much as 1 1/2 billion dollars. At projected rates of operation it would sustain operations for at least ten years and maybe as much as thirty years. The Forest Service now has considerable authority over the operations in the development of this deposit, should it prove out, but does not have the authority to prohibit the operations. I am sure, however, that the tendency would be to be much more restrictive if the area is now put into a recreation classification by the

Congress. In my opinion, this additional authority is not now needed nor desirable for this purpose alone.

This legislation would, however, give the Forest Service the authority to restrict future exploration activities to an extent that they do not now have. Some such restriction may be highly desirable. I do want to point out, however, that the pictures which you have been shown and which have been identified as being on Railroad Ridge are not within the heart of the area as you might have been led to believe, nor are they above the timber line, if my information is at all correct.

I would like to call your attention to U.S. Geological Survey Bulletin 877 and point out that it points up the highly mineralized nature of the area. It clearly points to the existence of the molybdenum deposit which is now being explored in any detail—and it was published in 1937. I mention this only to point out that we do not have any idea of the extent of mineral values in the area, but are on notice that this is an area of uncommon mineralization, as well as uncommon beauty. At this point, I would like to insert a letter from Dr. Rolland R. Reid, Dean of the College of Mines at the University of Idaho.

The question, then, is whether the State of Idaho can afford to lock up the abundant natural resources of the area, or whether we should rely on the proven theories of multiple-use, which dictate that under proper supervision, activities such as mining, grazing, lumbering, and recreation can be compatible.

It is important to note, too, that a few companies have already established valid claims. The Public Land Law Review Commission is now in the middle of an examination of all our land laws, including mining. Recommendations will come from that Commission, but it must be understood that at the present time there is no way in which a simple moratorium can be ordered or enacted by Congress or that mining claims could be voided without full compensation to the mining companies involved.

While the Forest Service now has the authority to regulate the construction of roads, water pollution, and the dumping of tailings, etc., there is no authority to compel any of these valid claims to give up any active or intended mining operations.

A chief concern, however, is future development of mining claims in the area. It has been established by reputable mineralogists that potentially abundant mineral lodes are present throughout the White Clouds. I feel that we cannot ignore the economic benefits should some of these lodes prove to be particularly attractive. However, a few incidents of unsupervised prospecting in the White Clouds have resulted in irreparable scarring of the countryside—scars which cannot be closed and which have offered no compensation in terms of successful location of a profitable claim. Under the management proposal being considered today, the Forest Service will have complete authority to supervise closely or eliminate completely such irresponsible prospecting. This authority also extends to the supervision of activities at existing and operating claims.

Taking all of these factors into consideration, and with due consideration to the emotional appeal of preserving the beauties of the area, I have concluded that designation of the Sawtooths at this time as a National Recreation Area is our most logical course of action. The inclusion of the White Clouds may well prove to be the best means to accomplish what we want—balanced multiple use with the minimum disruption of its present features consistent with desirable economic development. I do think some further information is desirable as

well as affording the opportunity to those to express their views who have not been able to be present at this short notice.

I have given some thought to creating a National Park in this area. However, we must obtain proper management of the area immediately if it is to be at all effective. The changing climate of use in that part of Idaho dictates that we do not have time to waste in gathering support for National Park status. Also, the Recreation Area approach offers the two-pronged benefits of regulated mineral development in conjunction with continuing recreational benefits. The Idaho Congressional delegation is striving to obtain proper multiple use in the area while at the same time achieving immediate results without a damaging period of delay.

I urge the Committee to act upon this legislation, in order to protect and define one of America's most appealing recreation areas.

AUGUST 12, 1969.

Mr. RICHARD P. HRONEK,
Managing Editor, *The Idaho Statesman*,
Boise, Idaho.

DEAR DICK: First let me apologize for the delay in answering your letter of July 17 in regard to the Senate passed Sawtooth Recreation Bill. That there has been some confusion concerning my position is all too evident. I did not intend that there be any doubt as to what I meant in my statement to the National Parks and Recreation Subcommittee.

I am a member of the National Parks and Recreation Subcommittee of the House Interior and Insular Affairs Committee, and this subcommittee heard testimony on the Sawtooth Recreation Bills HR 5999 and S 853, July 10, 1969. I was present and personally gave my statement to the subcommittee (as well as participating in the entire hearing), and that statement is the only statement I have made. The copies that were mailed out to the Press and other interested parties were copies of the statement I delivered before the subcommittee. Other Idahoans, including Second District Congressman Orval Hansen were also present.

I am sure the main reason for the uncertainty as to the meaning of my statement must be attributed to the fact that we were considering two separate issues. When scheduled, the hearing covered only Congressman Hansen's bill (H.R. 5999) authorizing the Sawtooth National Recreation Area. Between the time of scheduling the hearing and holding the hearing, the Senate passed a similar bill—but with amendments that included the area encompassing the White Clouds. This presented an entirely new and distinct problem and gave the hearing an entirely new dimension. All this occurred in a little over one week and with little or no advance notice.

I will attempt to answer your questions as specifically as possible as follows:

1. Are you in favor of the Senate-passed bill in its present form?

As I said in my original statement, I think the people who are affected by the decision on the inclusion of the White Clouds, whatever their viewpoint or interest, are entitled to be heard. The accident of timing which injected this question into the House hearings without adequate notice was unfortunate. I could not in good conscience support the Senate passed bill without hearings on the White Clouds or at least the passage of enough time to allow interested parties on all sides of the issue the opportunity to make their views known. Some people want more restrictive legislation—others want none. I think both sides should have their "day in court". In my original statement before the subcommittee I said, "... The inclusion of the White Clouds may well prove to be the best means to accomplish what we want—balanced multiple use with the minimum disruption of its present features consistent

with desirable economic development." This statement still holds true. We are now at the position of holding hearings, gathering facts, etc., to determine the best course of action in the White Clouds. As these facts are developed I am hopeful that a clear picture will emerge on what should be done in the White Clouds and greater agreement can be achieved. I support the original proposed Sawtooth Recreation Area as found in HR 5999 without reservation or qualification. Over the past several years full and complete data has been gathered on this proposal, including hearings which gave all interested parties the opportunity to express their views. However, the inclusion of the White Cloud amendment to S. 853 presents an entirely new dimension to the discussion. I am not prepared to give a flat yes or no on this bill until I have more information and there has been sufficient opportunity for people to express their views.

2. If not, what specific objections do you have to the bill?

My first objection to S 853 was that there was not sufficient time for proper hearings and the development of the facts on the White Cloud amendment. The bill also does not really address itself to the problems of restrictions on prospecting other than turning it over to the discretion of the Forest Service. It does not even touch on the very real problem of patent rights of locators of valid mining claims and I think it should. There is some fear in the mining community that the Forest Service would use its arbitrary discretion to create conditions on future operations, both as to prospecting and presently held valid mining claims, which would make them uneconomic, thus affecting a de facto ban on all mining within the area. Until the mineral potential is more clearly defined I would be opposed to any such decision.

3. If your objections to the bill relate to the regulation of mining within the NRA region, what alternatives would you suggest to the Senate passed bill?

I am trying to develop language directed toward solution to these problems but I am not yet in position to state it exactly. I have, also, been pressing for hearings on the White Clouds so that our citizens can have the full opportunity to express themselves. To this date, I have not been successful in transmitting my sense of urgency to the committee leadership that schedules hearings and it has had to fall into line behind other pending matters (each of which has its own sponsors and urgency). I am determined that this matter move forward but equally determined that we do so only in conjunction with the right of the people to be heard. It may be that I will have to settle for a period of time for statements to be filed in lieu of hearings. I have not yet given up on hearings, however.

4. Do you feel that the mineral potential of the White Clouds area would override any justification for withdrawing the area for all but recreational use?

If the mineral values are as high as they have been portrayed, I would be very reluctant to exclude the possibility of their development. Idaho has a limited economic base now and we should be slow in locking the door against utilization of our resources. If mineral values are low and recreation values high, then I agree that we should look to the higher use. If, however, mineral values are high as well as having high recreation potential, I think we should look to a more balanced development. I take no pride in Idaho having a per capita income among the lowest in the nation. I don't think we can really relish having an economy which drives many of our brightest young people out of the State. Neither do I believe we should destroy those things which make Idaho unique nor do I believe we should sacrifice nature's glories on the altar of economic progress.

Let's give some thought to how we can develop some resources without totally destroying others.

You also ask the source of the figure I used in my statement to estimate the values of mineral deposits. The figure is my own. Published reports indicate a metal content of .2 of 1% (.002) which means a recovery of 4 pounds per ton of ore. Average prices for molybdenum have been slightly in excess of \$1.70 per pound. At this rate values would be approximately \$6.80 per ton. In my statement I said . . . "I am told that the present exploration indicates the existence of an ore body of at least 70,000,000 tons, with the reasonable expectation that it is twice that size and maybe three times that size. At the expected rate of recovery of the metal and at present market prices this shows total values of at least 1/2 billion dollars and maybe as much as 1 and 1/2 billion dollars . . ." 70,000,000 tons times \$6.80 per ton equals \$476,000,000 or nearly 1/2 billion dollars. Three times that, obviously, is 1 and 1/2 billion dollars. I might point out that this is not, as you stated "the mineral value of the White Clouds area," but the prospective value of one development. The values of other minerals is not so well known, but I will again refer to U.S. Geological Survey bulletin 877 which, as I said in my original statement, points up the highly mineralized nature of the area.

I will conclude by again reaffirming my support of the original legislation affecting the Sawtooths, Sawtooth Valley and Stanley Basin as proposed in HR 5999, Congressman Hansen's bill. I withhold my final judgment on S. 853 as amended in the Senate to include the White Clouds because of the lack of full information at this time and because interested parties have not had the opportunity nor the time to express themselves on this vital subject.

I hope the controversy over the White Clouds will not delay the passage and adoption of the original Sawtooth National Recreation Area. I want also to restate that I urge the Committee to act on the entire proposal, including the White Clouds amendment so that a final decision can be made.

I realize that none of the proposals are completely acceptable to everyone. If I had my absolute choice, it would be different. In conclusion I will repeat the final paragraph of my statement before the subcommittee which I thought summed up my thoughts very well.

"I have given some thoughts to creating a National Park in this area. However, we must obtain proper management of the area immediately if it is to be at all effective. The changing climate of use in that part of Idaho dictates that we don't have time to waste in gathering support for National Park status. Also, the Recreation Area approach offers the two-pronged benefits of regulated mineral development in conjunction with continuing recreational benefits. The Idaho Congressional delegation is striving to obtain proper multiple use in the area while at the same time achieving immediate results without a damaging period of delay. I urge the Committee to act upon this legislation in order to protect and define one of America's most appealing recreation areas."

Thank you for this opportunity to clear the record. I hope it has.

Sincerely yours,

JAMES A. MCCLURE, M.C.

From: The offices of Senator Frank Church, Senator Len B. Jordan, Representatives James McClure, and Representative Orval Hansen.

WASHINGTON, August 11.—The four members of Idaho's Congressional delegation—Senators Frank Church and Len B. Jordan and Representatives James McClure and Orval Hansen—announced that they will

introduce legislation today to create a combined Sawtooth National Park and Recreation Area.

The park would encompass the Sawtooth, White Clouds and Boulder Mountain ranges. The recreation area would cover the Sawtooth Valley and adjoining areas.

In announcing their intention to introduce the legislation today (Tuesday), the members of the delegation issued this joint statement:

"For the past several months, we four members of the Idaho Congressional delegation have met periodically to discuss an adequate management program for the Sawtooth region of south central Idaho. We have concluded that the controversy over open-pit mining in the White Clouds must not be permitted to pre-empt the enactment of legislation needed now to protect the scenic attractions of this superb mountain area. We therefore propose the following phased approach:

"1. The prompt enactment of legislation creating a Sawtooth National Recreation Area based upon an amended version of the bill already approved by the Senate. This would furnish the Sawtooth Valley with zoning regulations administered by the Forest Service, to protect against unsightly commercialization which now threatens to deface this beautiful valley. Timely action during this session of Congress could still preserve most of these private ranchlands as an unspoiled remnant of the Old West.

"2. We recommend that the Senate-passed bill, on which extensive hearings were held in Sun Valley four years ago, be updated by the House of Representatives to provide interim protection, not presently available, to the mountains which surround the Sawtooth Valley, consisting of the White Cloud, Boulder and Sawtooth ranges. This interim protection, which we are introducing in the form of a jointly-sponsored bill, would confer authority on the Forest Service to prevent injurious disturbance of fragile surface lands through the reasonable regulation of road-building and prospecting activities. The bill would also impose a fixed-term moratorium on the location of new mining claims within the protected area, pending a final decision on a permanent management plan.

"3. Concurrently, in order to give full scope to the options that are open to the people of Idaho, we are jointly introducing a separate bill to create a national park in the uplands surrounding the Sawtooth Valley. We believe that this spectacular alpine region fully qualifies for national park status and would benefit from the special supervision that such a designation brings. The Sawtooth Mountains—jagged monoliths of granite piercing the sky like the teeth of a gigantic saw—offer summits of unblemished wilderness. The White Cloud range, an eighty-ten mile area of breath-taking grandeur, is bedecked with chains of crystalline lakes. The lofty Boulders, to the south of the White Clouds, round out the complex.

"Under our Constitutional system, even a national park could not extinguish vested rights stemming from prior claims. Accordingly, the bill we introduce would establish the park 'subject to valid existing rights' and such special use permits as may be reasonably necessary for the exercise of such rights. However, if mining operations occur, they would be subject to regulation by the National Park Service, which would assure the largest feasible measure of protection to the soil, water and scenic values of the area concerned.

"We believe that a combined Sawtooth National Park and Recreation Area would best meet the needs of this remarkable region. It would prove a perpetual asset to Idaho, and make possible the proper facilities for accommodating the burgeoning number of vacationists now converging on the area.

"For these reasons, we feel the time is at hand for Idaho people to be heard on all aspects of a management program suitable for the Sawtooth Basin. To this end, we shall make available to every interested citizen, on request, copies of our own legislative proposals, together with schematic maps and other materials. Public hearings have been scheduled by the House Interior Committee at Sun Valley on August 26th, where all who wish to give testimony are invited to attend."

SUMMARY OF STATEMENT OF HON. JAMES A. MCCLURE

Since the House Committee on Interior and Insular Affairs first announced hearings on legislation to give park and/or recreation status to the Sawtooth and surrounding mountain ranges, I have received more than 300 letters from the citizens of Idaho. I would venture to say that no two of those who wrote feel exactly the same way about these proposals, but nearly all spoke with one voice on the need to find the solution which will, in the long run, be of most benefit to our State.

As a member of the Committee, as a sponsor of two of the bills pending before the Committee and as a citizen of Idaho, I have had a continuing interest in, and sense of responsibility for, finding a solution that will bring the greatest good to the largest number of our people both now and in the future.

The Committee's tour of central Idaho in August, its overnight campout near Toxaway Lake and the somewhat turbulent hearings in Sun Valley focused national attention on our State. It also served to point up again the great challenge which seems to characterize nearly every problem in the environmental field—deciding how to adapt our natural resources to man's benefit without destroying the resources themselves.

I think it is imperative that we face up to these decisions, and I welcome the Interior Committee's trip to Idaho as evidence that we are moving in that direction. At the same time, I have said repeatedly that our stakes in the decisions are so enormous that we must proceed with great caution, and only after all alternatives have been fully explored.

But we are not just relying upon a congressional committee to make these decisions for us. The entire Idaho delegation has been meeting on the problem for many months. The end result was a new approach for the Sawtooths. It is not merely a compromise; rather, it is an alternative plan which seeks to protect the basic interests of all parties involved.

As the first part of our approach, the Idaho delegation suggests that Congress pass the basic Sawtooth National Recreation Area bill, minus the White Clouds amendment which was added in the Senate, and without any changes in the legislation except minor boundary changes in the South and West.

As a companion measure, we urge the passage of a bill to withdraw the mountains which surround the Sawtooth Valley—the White Clouds, the Boulders and the Sawtooths—from mining entry for a period of five years. This bill would also provide for regulation of surface activities and bar patents on mining claims in the areas under discussion. It must be made clear, however, that mining is not prohibited, but is restricted and controlled. We all agree that this is the only reasonably available choice. This would have the effect of providing reasonable regulation of road-building and prospecting activities for those claims already in existence. At the same time, it would impose a temporary moratorium on new mining claims pending a final decision on a permanent management plan.

Finally, when the above has been completed, we should then consider what is to be done with the area on a permanent basis. In order to give full scope to the options

open to the people of Idaho, the delegation has introduced a separate bill creating a national park in the uplands surrounding the Sawtooth Valley. The resulting joint park-recreation complex would be subject to valid, existing rights and such special use permits as may be necessary to exercise those rights.

These bills are proposals upon which the delegation representing Idaho has agreed. It certainly does not mean that we can't make any changes if it appears desirable to do so after we have heard from all parties and studied suggestions they have made. Governor Samuleson has urged such studies, and Senator Jordan recently stated that the proposals are "subject to change". I agree.

Perhaps all of this is better understood in light of the background on the Sawtooth legislation. Early in 1969, bills were introduced in both the House and the Senate to create a 351,000 acre national recreation area in the Sawtooth mountains. When this bill passed the Senate in June of 1969, an amendment was adopted adding approximately 150,000 acres in the White Clouds. There had been no hearings on the White Clouds by a Senate committee.

By coincidence, the House Committee on Interior and Insular Affairs had scheduled hearings only ten days later on the Sawtooth bill introduced by Congressman Hansen. Since the Senate-passed bill had just been referred to this Committee, it was automatically under consideration as well. However, I want to emphasize the fact that when the House hearing were first scheduled, the Senate had not yet acted and, therefore, the only testimony scheduled was on the Sawtooths, not on the White Clouds.

It needs to be understood that the House Committee on Interior and Insular Affairs does not take action on any proposal affecting large tracts of land until hearings have been held. Invariably, hearings are held in Washington and usually field hearings are scheduled in the affected area as well.

Too many people have not known this and have charged that delays were arbitrary or that the hearing in Sun Valley on August 26th was contrived. The Committee has literally dozens of proposals awaiting action, and I feel fortunate to have gotten them to come to Idaho for hearings. I had been working for a year to get the field hearings scheduled—ever since the White Clouds were added to the original bill by the Senate, as a matter of fact. I'm enclosing a press release concerning a visit that was cancelled because of the weather in October of 1969.

It should also be understood that the Committee does not act upon legislation until departmental reports are received—in this case, from the Departments of Interior, Agriculture and the Bureau of the Budget. Occasionally there are exceptions, but these are very unusual cases. The reports have been requested, but have not yet been received on the legislation affecting the White Clouds. I am going to keep pushing for action, as I have for over a year now.

Anyone who believes that development of needed natural resources can be forestalled forever believes what never was and never will be. Likewise, those who feel that the scenic heritage of our State is there to be explored, plundered and pillaged at will also dwell in fantasy.

Those who view Idaho—her beauty and her benefits—as exclusively their own will be disappointed when the problem is finally resolved. However, I am confident that an acceptable solution will be enacted into law and am certain it must not be delayed.

From: The offices of Congressman James A. McClure and Congressman Orval Hansen.

WASHINGTON.—Idaho Congressman Orval and James A. McClure today introduced legislation in the U.S. House of Representatives to create a Sawtooth National Recreation Area.

The proposed recreation area encompasses the Sawtooth, White Clouds and Boulder Mountain ranges, as well as the Sawtooth Valley and adjoining areas. Included in the National Recreation Area would be 725,000 acres of National Forest and Public Domain lands, 25,000 acres of private lands, and 2,000 acres of State lands.

Hansen and McClure said an identical bill is being introduced today in the Senate by Idaho Senators Frank Church and Len B. Jordan. The four members of Idaho's Congressional delegation have been working closely together for the past several months to present the best possible management program for protecting the Sawtooth Region of south-central Idaho.

The Congressman noted that in addition to creating a Sawtooth National Recreation Area, the bill would:

- (1) Impose a five-year moratorium on the location of new mining claims.
- (2) Designate the Sawtooth Primitive Area as the Sawtooth Wilderness Area; and
- (3) Direct the National Park Service to develop a proposal for a unit or units of the National Park System within the Recreation Area.

In a joint statement, Hansen and McClure said: "In drafting the new bill this year, the entire delegation has given very serious thought to all previous legislative recommendations and the many expressions of opinion from hearings on the Sawtooth legislation both in Washington and at Sun Valley last summer.

"We believe the package we have introduced today, which has been compressed into one bill following many hours of discussion with Senators Church and Jordan, is a significant improvement over the assortment of Sawtooth bills introduced in the past, and stands an excellent chance of favorable consideration by both the House and Senate.

"Prompt enactment of legislation creating a Sawtooth National Recreation Area would furnish the area with regulations administered by the Secretary of Agriculture and the Secretary of the Interior to protect against unsightly commercialization now threatening to deface this beautiful land. Action during the current session of Congress could make possible the preservation of most of the private ranchlands as unspoiled remnants of the Old West.

"The bill would also provide interim protection to the mountains surrounding the Sawtooth Valley—the White Cloud, Boulder and Sawtooth ranges—by conferring authority on the Secretaries of Agriculture and Interior to prevent injurious disturbance of fragile surface lands through the reasonable regulation of road-building and prospecting activities.

"Vested rights stemming from prior mining claims would not be extinguished by creation of a Sawtooth National Recreational Area. The bill would establish the National Recreation Area 'subject to valid existing rights' and such special use permits as may be reasonably necessary for the exercise of such rights. However, if mining operations occur, they would be subject to regulation by the Department of Agriculture and Interior, which would assure the largest feasible measure of protection to the soil, water and scenic values of the area concerned."

Detailed maps of the proposed Sawtooth National Recreation Area are available upon request from the offices of the Idaho delegation.

Mr. TAYLOR. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the legislation now before the House has three principal objectives:

First, it establishes the Sawtooth National Recreation Area;

Second, it establishes the Sawtooth Wilderness Area; and

Third, it provides for a park study to be made by the Secretary of the Interior and requires him to report his recommendations concerning a national park in this area to the Congress no later than December 31, 1973.

THE AREA

It is difficult to comprehend the magnitude of the area involved in H.R. 6957. The recreation area alone totals almost 537,500 acres. The wilderness area adds another 216,000 acres. Together this outdoor complex, with its magnificent mountains and beautiful valleys constitutes an area larger than the State of Rhode Island. Within this region, crystal clear lakes that dot the landscape, hundreds of miles of ice cold streams from the tributaries of five important water sources of the Columbia River Basin.

Naturally, with these characteristics, the area offers great outdoor recreational potential. Hiking, camping, fishing, hunting, horseback riding and sightseeing will undoubtedly continue to increase in popularity among the visiting public. But the area has significant cultural historic and scientific values worthy of national recognition as well.

The members of the Committee on Interior and Insular Affairs have agreed that recreation should be recognized as the dominant use in this vast area, but we realize that other values are also present and must be acknowledged.

Timber values are a relatively important element in the local economy; however, timber harvests are presently precluded within the existing primitive area and are limited in the recreation area primarily to the lower slopes.

Grazing has been practiced in the area since the turn of the century. Continued use of the rangelands is considered essential to the ranching operations in the region. This activity can be reasonably regulated and is not considered harmful to the general purposes of the legislation.

This area has long been known to be highly mineralized. Mining activities, probably more than anything else, brought the area its first permanent residents of European ancestry. Since the initial gold rush days, in the 1860's, men have been prospecting in the region and there are an unknown number of mining claims and patented lands within the area at the present time. Some of these are said to contain minerals of commercial value. These interests, if valid, cannot legally be extinguished except by voluntary relinquishment or by payment of just compensation. At this time, H.R. 6957 does not contemplate the acquisition of these interests, but it does attempt to protect the area from mining activities which would frustrate the recreation objectives and mar the scenic values of the area.

It does this:

First, by withdrawing all Federal lands within the recreation area from all forms of location and entry under the mining laws for a period of 5 years, so that no new claims can be established.

Second, by excusing existing claim-holders from doing the required annual assessment work on their claims for the next 5 years so that the disruption of surface values can be minimized;

Third, by authorizing the Secretaries of Agriculture and Interior to promulgate regulations to control the use of motorized vehicles across or on Federal lands so that surface values and related values on Federal lands will be protected; and

Fourth, by extinguishing the right of a claimholder to proceed to patent on any claims within the recreation area.

These are strong provisions which are designed to protect this area, to the extent legally possible, until it can be thoroughly reviewed and a sound proposal formulated for the creation of a national park. In the absence of the enactment of H.R. 6957—

Nothing closes the area to new claims;

Annual assessment work must be done if a claimholder is to protect his interest—regardless of what effect it may have on the lands involved;

Neither Secretary can legally deny reasonable access to a valid claim; and

Persons holding valid claims may proceed to patent and secure fee title to the lands involved.

CONGRESSIONAL CONSIDERATION

Mr. Chairman, the Members of the Committee on Interior and Insular Affairs have given H.R. 6957 careful consideration. Shortly after the Senate passed its original bill in 1969, the Subcommittee on National Parks and Recreation conducted public hearings on the legislation. Later during the August recess in 1970 several Members went to the area to see it firsthand and to conduct field hearings, 300 witnesses were heard. Again last year, hearings were held on the bill as reintroduced by our colleagues from Idaho—Messrs. HANSEN and McCURE. Only after that lengthy process did the committee mark up the bill and report it to the House in amended form.

CONCLUSION

We feel that the bill is sound and that it represents the most reasonable course of action at this time. We recommend it without further amendment.

Let me say a word with regard to costs. Private lands would amount to 25,214 acres. One thousand and seven hundred lots have been created in subdivisions, but most of the area is in a pastoral state. According to the provisions of this legislation, the Government can take only 5 percent of the total private land for development. That is about 1,250 acres. As to the rest, if it is maintained according to the standards set by the Secretary, the Government has no power to acquire it. It can be condemned if the standards are not complied with.

The acquisition limitation set in the bill is \$19.8 million, but that is the maximum cost, and if the property owners comply with the standards the acquisition costs should be greatly reduced.

Most of the private land in this beautiful Sawtooth Valley—and that is where the private land is located—is now owned by farmers. They use it for irrigated pasture. The area is made lush and beautiful because of this irrigation. We hope to continue the ownership of that land and the use of the land, most of it, as it now is.

In most parks the desire of the Government is to acquire all the land and to return it to a natural state as quickly

as possible but in this particular area we do not have the desire. We do not think that that is the best approach. We think it is desirable for those ranchers and sheepherders to continue to own that land and operate it subject to Government standards, and to continue making the valley beautiful.

Mr. Chairman, some may ask, "Why not a national park now?" My response must be, "Because it is not yet time."

I like to think that no one in this House is more friendly to the establishment of new national parks than I am. I know what a national park can be for the people—at home and around the country—now and in the future. And I can honestly say that I want a national park in this area—it is truly a place with park quality. But I do not want to help create a park without knowing all the facts and certainly not without having some reasonable information concerning the costs involved. The spokesman for the Department of the Interior, the Assistant Secretary in charge of national parks, Nathaniel Reed, testified that the Department was in no position to recommend the creation of a park at this time because the necessary studies had not been completed. The bill calls for the completion of the studies and requires the submission of a report to the Congress no later than December 31, 1973. At that time the Congress can review those recommendations and decide what action would be appropriate. That is the logical way to handle the national park question. In the meantime, let us give this area every protection we can by enacting H.R. 6957.

Mr. SKUBITZ. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho (Mr. HANSEN).

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield?

Mr. HANSEN of Idaho. I yield to the gentleman from Illinois.

(Mr. KLUCZYNSKI asked and was given permission to speak out of order.)

ANNOUNCEMENT OF UNVEILING OF A MEMORIAL PORTRAIT TO A POLISH PATRIOT

Mr. KLUCZYNSKI. Mr. Chairman, I would like to invite the Speaker and Members of the House to be in the private dining room at 2:30 this afternoon for the presentation of a portrait and to participate in a memorial to the Polish patriot who played such an important part in aiding the Americans in their fight for independence.

I assure the Members the memorial will not last more than 5 minutes, and I would appreciate it if Members of the House will be downstairs for that service in the Members' private dining room.

Regrettably, the contributions made by the Polish people to this cause are not as well known as they should be. In the hope that the Polish people will be better remembered, I am giving this painting to you, my colleagues. It signifies to me a conflict between storm waves and the breaking up of rocks.

In this symbolic way, the rocks could be tyranny and lack of freedom. The waves could be the Polish patriots as the force of freedom who wore down and broke the rock of tyranny.

I know you will enjoy this picture and see more in it the longer you view it.

Thank you.

Mr. HANSEN of Idaho. Mr. Chairman, I will not repeat the things that have been said and the areas already covered, but I want to associate myself with the remarks previously made by my colleagues on this legislation. I would particularly like to acknowledge my personal appreciation and indeed acknowledge the indebtedness of the people of this country to those who have done so much to help shape this legislation and bring it to the floor today. These include the chairman of the full committee, the gentleman from Colorado (Mr. ASPINALL) as well as the chairman of the subcommittee, the gentleman from North Carolina (Mr. TAYLOR) and the ranking minority member of the committee, the gentleman from Pennsylvania (Mr. SAYLOR) and the gentleman from Kansas (Mr. SKUBITZ) as well as my colleague from Idaho, Congressman McCURE, and our colleagues in the Senate, Senators FRANK CHURCH and LEN B. JORDAN, all of whom have contributed greatly to the development of this legislation.

I would also express our appreciation to the members of the subcommittee who traveled to Idaho under rather difficult circumstances a year ago last summer to see this area on the ground and to talk to the people who are most interested in and directly affected by the passage of this bill.

Let me say also this is controversial legislation. There are honest differences of opinion on what it should contain and the time table that it should incorporate for further steps that will be taken beyond the passage of the bill before us. I respect those who have expressed different views on what the shape of this legislation should be. I think it can be said among all of those who hold different views that there is, nevertheless, a common love of this country and a common desire to make certain that its unique values are preserved for the enjoyment of our own and future generations.

I know the gentleman from Pennsylvania (Mr. SAYLOR) has some different views on the time table toward the development of a national park, but I would say also that there are few Members of Congress who are better acquainted with that area based on frequent personal visits or who have a greater desire to preserve and protect its unique values than the gentleman from Pennsylvania (Mr. SAYLOR) I respect his views on this legislation.

This bill meets two high priority needs. That is why time is of the essence. That is why we need to act now. We cannot deliberate for more months and years on some ultimate plan.

The highest priority need is to protect the Sawtooth Valley, which is mostly in private ownership. Unless we act and vest the Forest Service with the authority now to develop and implement the regulations that will protect that area, within a few months it will deteriorate very rapidly and the values that are there, the priceless irreplaceable values, will be permanently lost. So we need to act now to protect the Sawtooth Valley.

The second priority is the White Cloud Peaks, a very fragile and very delicate but highly scenic area to the east of the

Sawtooth Valley, a place that is threatened with damage resulting from unregulated mining and prospecting activity. This bill vests the Forest Service with additional authority to regulate the kinds of surface disturbing activities that could permanently destroy the values in that area. That is why we need to act now.

The bill also contains, as the chairman of the subcommittee noted, a direction to the Secretary of the Interior not to just study the feasibility of a park but to develop an affirmative, specific, detailed park plan and to present it to Congress. The Congress can then consider and take appropriate action on the proposal and give all interested parties an opportunity to be heard and to make a judgment on that plan.

Mr. Chairman, I have the honor to represent the district in which the proposed Sawtooth National Recreation Area is located. I am happy to be a cosponsor of H.R. 6957 along with my distinguished colleague from Idaho, the Honorable JAMES MCCLURE. A companion Senate bill, S. 1407, was introduced by Senators FRANK CHURCH and LEN JORDAN of Idaho.

This legislation is the product of the efforts of the Idaho delegation extending over several years to develop a management plan that can gain broad acceptance and is best suited to one of America's greatest scenic treasures.

The Sawtooth country in south-central Idaho is a priceless national asset. Because of its unique scenic beauty and because of the imminent threat of deterioration of its many and diverse values, the need for prompt and effective congressional action is attracting increasing national attention. I am certain that most Members here today have received correspondence concerning the urgency of affording protection for the Sawtooth country.

The threat to the area comes from several directions. The most serious and immediate threat is to the Sawtooth Valley with its unobstructed panoramic views of the jagged Sawtooth Mountains on the west and the delicate and beautiful White Cloud Peaks and rugged Boulder Mountains on the east.

In the Sawtooth Valley we already see the evidence of unplanned and unsightly subdivision development that, if not controlled, will rapidly transform the area from its western ranching character to commercial development that will forever mar its unique scenic beauty.

In this bill, therefore, top priority has been given to saving the Sawtooth Valley.

High priority has also been given to

the White Cloud Peaks, a very fragile area of incredible scenic beauty, which is threatened with serious permanent damage as a result of inadequately regulated prospecting and mining activities. Further delay in providing adequate protection for the White Cloud Peaks area will surely result in the permanent loss of many of the unique scenic and recreational values in this priceless national resource.

The legislation before us is responsive to these most urgent needs. It will create immediately the proposed Sawtooth National Recreation Area, vesting in the Secretary of Agriculture the authority to publish regulations and set standards governing the use of privately owned property, to acquire scenic easements and to take other actions necessary to assure the highest and best use of the area.

The bill also imposes on the area a 5-year moratorium on all forms of location, entry, and operation under the mining laws of the United States. It further directs the Secretary of Agriculture and the Secretary of Interior to jointly promulgate and issue regulations to protect the surface values of the Federal lands in the area, including but not limited to activities related to mineral prospecting, exploration or development, and mining operations.

The bill further prohibits the issuance of a patent for locations and claims heretofore or hereafter made in the area. This provision represents a major step forward in the reform of our archaic and inadequate mining laws and will hopefully serve as a model for long overdue revision of these laws.

Although some would prefer more restrictive language on mining and other activities, we must remember that in addition to the protection and management tools provided by this bill, the Federal Government already has extensive authority to prohibit activities that degrade water quality. The use of all of these tools will have a direct impact on the economics of mining in the area and will likely have the effect of significantly reducing or eliminating those activities which are causing the despoliation of the area. All of these tools can and will be used to protect the White Clouds while studies go forward to provide the basis for decisions on a more permanent management plan for the area.

Also included in this bill, Mr. Chairman, is a provision whereby 201,000 acres of the Sawtooth Primitive Area will be designated wilderness and added to the Nation's wilderness system.

The bill directs the Secretary of the Interior to undertake an evaluation of

parts of the area for designation as a national park and to prepare a detailed plan for such a park together with proposed legislation that would implement his recommendations.

There are many honest differences of opinion over the best ultimate management plan that should be established for the area, and over the timetable that should be followed. At the hearings in Washington last June, the witnesses represented a great variety of interest and points of view. Virtually all had disagreements with some aspects of this bill. But, almost without exception, however, all took the position that there was an urgent need for passage of this legislation. Among those who advocate different courses of action, there is a common love for this magnificent part of our country and a common determination to make sure that its unique and irreplaceable values are protected and preserved for the use and enjoyment of our own and future generations.

The bill before us today represents the best judgment of members of Idaho's congressional delegation on the first step leading to the ultimate development of a plan that will best serve the public interest.

Additionally, I wish to call attention to the fact that the Idaho Legislature has memorialized the Congress to establish a Sawtooth National Recreation Area and to declare a 5-year moratorium on mining entry in that area.

I sincerely hope that my colleagues will vote approval of this long-considered piece of legislation so that 1972 can witness the establishment of America's most superb national recreation area.

Mr. TAYLOR. Mr. Chairman, I have no further requests for time, but I ask unanimous consent to include in the RECORD at this point a schedule of estimated expenditures for the first 5 years of the proposed Sawtooth National Recreation Area and a schedule showing estimated additional man-years of civilian employment for the first 5 years for the proposed Sawtooth National Recreation Area.

The CHAIRMAN pro tempore (Mr. HAMILTON). Is that the gentleman's own statement?

Mr. TAYLOR. It is the statement which normally is attached to the departmental report. For some reason it was not attached to this report, and we feel it should be made a part of the RECORD.

The CHAIRMAN pro tempore. The gentleman will have to get that permission in the House.

The schedules referred to follow:

ESTIMATED EXPENDITURES*FOR*1ST 5 YEARS*FOR PROPOSED SAWTOOTH NATIONAL RECREATION AREA

	Current year	Current year plus 1	Current year plus 2	Current year plus 3	Current year plus 4
Operation and maintenance:					
Personnel.....	341,000	464,000	587,000	724,000	811,000
Other.....	102,000	130,000	176,000	217,000	243,000
Capital investment.....	2,294,800	2,194,800	1,724,800	1,714,800	1,894,800
Acquisition.....	1,000,000	1,230,000	1,247,000	1,500,000	1,500,000
Total.....	3,737,800	4,018,800	3,734,800	4,155,800	4,448,800

ESTIMATED ADDITIONAL MAN-YEARS OF CIVILIAN EMPLOYMENT FOR 1ST 5 YEARS FOR PROPOSED SAWTOOTH NATIONAL RECREATION AREA

	Current year	Current year plus 1	Current year plus 2	Current year plus 3	Current year plus 4
Full time.....	24	32	40	48	54
Seasonal.....	11	16	21	26	31
Total.....	35	48	61	74	85

Mr. SKUBITZ. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. SAYLOR).

Mr. SAYLOR. Mr. Chairman, I rise in opposition to this legislation.

My colleagues know that I would be the first on my feet to praise this bill if it were indeed a bill to protect the magnificent Sawtooth-White Clouds area. But this bill is a sham. It provides the form of protection, but not the substance. Instead of designating this area as a national park, as it should be, this bill provides a confusing, weak, and inherently ineffectual package of provisions, some of which work at direct odds with the goal of protecting the natural character of this area.

In the first place, there is simply no real question that the Sawtooths should be designated as a new national park, not a national recreation area. Since 1911 proposals have been put forward to create such a national park, to embrace and protect not only the Sawtooths, but the endangered White Cloud mountains, the Boulders and the Pioneers. Here is one of the very few large expanses of true national park caliber left unprotected in the continental United States.

What we have in this bill is a poor second best proposition, and one which is fatally flawed by special loophole provisions that will bring mining and other forms of wholly incompatible use into the very heart of this area.

Now, Mr. Chairman, we do have an alternative. A sound plan has been presented for a special national park-national recreation area complex. Under this Greater Sawtooths plan, the national park would extend through the higher alpine portions of the area, while a national recreation area in the valley will provide for sound protection of the historic and public recreational values there.

When the House Interior Committee conducted field hearings on this issue in Sun Valley, Idaho, in August of 1970, the testimony was overwhelming in support of this Great Sawtooth National Park proposal, rather than the straight national recreation proposal the committee has chosen to report here. At hearings held here in Washington last June, Idaho's new Governor Cecil D. Andrus, a nationally recognized environmentalist, had this to say in comparing the two proposals:

The present proposal greatly ignores the National Park-National Recreation Area complex which received two-thirds of the favorable testimony at Sun Valley last summer. The proposal before this committee creates the image of protection for Idaho's scenic treasures while at the same time allows exploitative uses to continue . . . Idaho deserves the recognition and protection offered by a National Park for portions of the Sawtooth area . . . Total mining withdrawal

in and around the high peaks is necessary if we are to maintain the valued beauty of the mountains.

Mr. Chairman, Governor Andrus was right: The bill before us today creates the image of protection for the Sawtooths, but it is image only. Behind the facade of high-sounding language, this bill is riddled with weaknesses and loopholes.

Of all the problems with this bill, the best example is the open invitation it provides for mining in the areas it pretends to protect. This bill provides a 5-year moratorium on new mineral entry within the area, when what is needed is a permanent withdrawal of the entire area from mineral entry, for good. Together with the provisions of section 12, which allows mineral exploitation under special use permits from the Forest Service, this provision provides a loophole big enough for the largest mining equipment to drive right through. And that is just what will happen, if we permit this legislation to pass into law in its present form.

Mr. Chairman, the conservation-minded people of Idaho want the Sawtooths and White Clouds protected against mining. The Governor of Idaho knows this and has supported true national park status for this area. My colleagues will remember that Governor Andrus' election was nationally noted as a victory for the environmental issue, inasmuch as he campaigned vigorously against mining in the White Clouds. When our committee went to Idaho, we found overwhelming support for the national park concept, as opposed to this weak-kneed national recreation area. Just recently, a poll in the Second Congressional District found the respondents favoring the Greater Sawtooth national park-national recreation area plan 2 to 1 over the national recreation area alone. A full 50 percent of the respondents favored the park plan, with only 24 percent favoring the plan embodied in the bill now before this body.

This, too, has been the position of conservationists and environmental groups, both in Idaho and nationally. Among the groups who believe this pending bill is hopelessly too weak, and who want to see full national park status for this area instead, are:

Greater Sawtooth Preservation Council.

Idaho Environmental Council.

Idaho Alpine Club.

Sierra Club.

Friends of the Earth.

The Wilderness Society.

Federation of Western Outdoor Clubs.

Mr. Chairman, I insert in the RECORD at this point an analysis of the weaknesses of this bill prepared by the Greater Sawtooth Preservation Council.

I can only agree with their conclusion that this bill represents "A Step Backward for Conservation."

The analysis follows:

A STEP BACKWARD FOR CONSERVATION

The Sawtooth National Recreation Area (NRA) bill, unless amended constructively, is an environmental outrage. It offers NRA classification for an area which should be a national park. It claims to provide desperately needed protection for the region while actually establishing special and unique rights for the mining industry to despoil it. It is in direct contradiction to the overwhelming support given to a National Park-NRA complex by Idaho citizens at the 1970 field hearing and in a recent poll conducted by Representative Orval Hansen. The bill is so bad that it is actively supported by the mining, logging and grazing industries. Conservation organizations of Idaho and the nation oppose this bill, which has been described as worse than no bill at all.

WHAT DOES H.R. 6957 OFFER?

The new NRA bill represents a step backward from the less-than-ideal Park and NRA bills of the 91st Congress. Instead of the desired Park-NRA complex and stronger protection, the new bill calls for:

An NRA administered by the Forest Service, with continued multi-use management, applying the NRA concept of high-volume, easy-access recreational development to an area whose dominant characteristics and values are those of alpine wilderness.

A five-year moratorium on new mining claims. The old claims, such as those 300 or more that blanket the Little Boulder Creek area of the White Clouds, would not be affected. The development of the planned ASARCO open-pit mine would not be impeded by the moratorium; just by coincidence, their plans for mining are about five years in the future.

A National Park Service study, to be completed by the end of 1973, which would be required to justify in great detail the need for and the impact of a Park. Such a study could long since have been done without legislation. Governor Cecil Andrus of Idaho has asked for such a study.

Special use permits for the development of existing mining claims. Section 12 of the bill (formerly Section 14) includes language which would provide a legislative guarantee for the miners to build roads and to claim and use additional lands and waterways for ore-processing, waste disposal dumps, and tailing ponds. Any pretense of protection for the White Clouds disappears when the special use permits are considered.

If the intent of the presently proposed NRA bill were protection of the greater Sawtooth area, it would be a tragic failure. By promising, but not delivering the badly-needed protection for the area, H.R. 6957 might effectively kill any chance of ever achieving first-class protection and recognition for Idaho's superb wilderness Alps.

WHAT IS WRONG WITH THE BILL?

The lack of Park status for the alpine areas of the Sawtooths, White Clouds, Boulders, and Pioneers is the major omission in the present bill. The Sawtooths have been proposed as a National Park since 1911 and are one of a very few areas of National Park caliber left in the United States. The

broad support for the Park-NRA formula proposed by the Greater Sawtooth Preservation Council has been demonstrated in several ways:

Testimony at the August 1970 Hearing of the House Interior Committee in Sun Valley.

The testimony of Idaho Governor Cecil D. Andrus at the June 1971 hearing in Washington, which stated, "The present proposal greatly ignores the National Park-National Recreation Area complex which received two-thirds of the favorable testimony at Sun Valley last summer. The proposal before this committee creates the image of protection for Idaho's scenic treasures while at the same time allows exploitative uses to continue . . . Idaho deserves the recognition and protection offered by a National Park for portions of the Sawtooth area . . . Total mining withdrawal in and around the high peaks is necessary if we are to maintain the valued beauty of the mountains."

The results of a poll conducted by Representative Orval Hansen of Idaho which showed "that a combination National Recreation Area and National Park for protection of the Sawtooth Mountains-White Cloud Peaks area in south central Idaho was favored by respondents 2 to 1 over a National Recreation Area only."

The lack of permanent withdrawal from mineral entry is totally inconsistent with the purpose of preserving the region for future generations. All other NRA's, not to mention the National Parks, are permanently withdrawn. The five-year moratorium proposed in Section 10 of H.R. 6957 would end at precisely the time that development of the open-pit mine in the White Clouds is anticipated to begin. In fact, the moratorium has no effect on the more than 300 claims which have been made in that area.

The special use permits clause in Section 12 (Sec. 14 of the original H.R. 6957) actually broadens the rights of the miners to operate in an area that is supposedly classified for preservation. A joint press release by Representatives McClure and Hansen stated that "The bill would establish the NRA subject to valid existing rights and such special use permits as may be necessary for the exercise of such rights." The second sentence of Section 12 (originally Section 14) of the bill reads, "This shall not be construed as preventing or interfering with the full exercise of the rights of the holder of a valid claim to prospect, develop, and mine any such claim. . . ." This language would establish a unique and unprecedented legislative guarantee for the miners to claim additional land (and bodies of water) for access roads, ore-processing mills, waste-dumping areas, and tailing ponds. All other values and uses would thus be subordinated to the need of the mining operations.

The alpine valley at the foot of Castle Peak in the White Clouds could become a wasteland; two to five miles of Little Boulder Creek in the headwaters of the East Fork of the Salmon River would become polluted and totally submerged by the proposed tailings ponds from the 20,000 ton per day mine.

More than anything else in the bill, the special use permits clause makes a mockery of any hope of significant protection for the White Clouds and Boulders. It would degrade the consistently high standards of protection which have been set in our National Parks and NRA's. The bill enacting the North Cascades National Park-National Recreation area was the model for the GSPS proposal; it contains no such language.

HOW IS THE COMBINED PARK-NRA PROPOSAL BETTER?

A common and quite paradoxical argument has been used by supporters (including the mining industry) of the H.R. 6957. They state that nothing can stop mining, not even National Park status with mineral entry withdrawal. The contradiction in the argument was illustrated beautifully by the Secretary

of the Idaho Mining Association on May 1, 1971, when he stated that, "He (the miner) would surely become extinct, however, were a national park created there." Those who protest most loudly against the Park protection seem to be those who fear it the most. Mineral entry withdrawal, such as Congress provided in the bill establishing the North Cascades National Park and NRA, will protect the White Clouds from destruction and preserve its beauty for future generations.

Park protection would be effective in the following ways:

1. *Mineral Entry:* All parks and monuments are withdrawn from mineral entry except as expressly provided otherwise by the statutes or executive orders which established them.

2. *Existing Valid Claims:* There are four significant factors relating to the rights vested in a mineral entryman:

a. A mineral claim is valid only if it is based on an actual discovery of a valuable mineral in sufficient quantity to meet the test of the prudent operator's rule, that is, it can be marketed profitably. A general pattern of mineralization based on "sample" core drilling will not suffice to meet the test. *Each claim must be based on actual discovery.*

b. The validity of claims in a withdrawn area is determined on the basis of actual discoveries made *before* the area was withdrawn. Discoveries made after the date of withdrawal are irrelevant in testing the claim's validity. The ASARCO claims in the White Clouds have not yet gone through the final validation process that must be performed by the Department of the Interior. If the land were withdrawn from mineral entry prior to that validation, future discoveries could not be made.

3. *Mill Site Entry:* Where lands are withdrawn from mineral entry, an entryman could have a mill site only if he had made a valid mill site entry before the date of withdrawal. Even if the entryman has valid mineral claims, he may not make a valid mill site entry until he has made a definite decision and plan for protection. If the area is withdrawn prior to such a time and the entryman later needs additional lands to develop his valid existing claim, he has no right to any additional lands and *must face the necessity of removing all excavated materials for processing outside of the withdrawn area.* The economic burden of transportation and processing of low-grade ore (99.8% waste) would be enough to make the proposed White Clouds operation uneconomical. The particular danger of Section 12 of the NRA bill is that it would require that special use permits be given for on-site processing facilities.

4. *Access to Claims:* The National Park Service indicates that there is no general statutory right of access across national parks and monuments to a pre-existing claim. There being no such right at common law and none granted by statute, it is possible that there is no right of access except such as is actually established or used at the time an area is withdrawn in a park or monument. At present, there is no established road or right of access in the White Clouds.

Withdrawal of an area from mineral entry has a significant effect not only on the location of future claims but also on the future use of existing claims. In essence, when an area is withdrawn, the right to the use of land is frozen as of that date. Any future use of mining claims is determined by such rights, including future interests, as existed on the date of withdrawal. The power of the proposed Park-NRA legislation lies in its capability to protect Park values, even if a particular area within the Park contains valid claims. While the law guarantees the holder of the claim the right to the minerals in the claimed area, there is no guarantee that he must be able to extract or process those minerals in the most economical (but

potentially destructive) way. The net effect is protection. The mining company would retain the right to the minerals and would not have to be "bought out". (Compensation for expenses incurred during the exploration of such an area could be made to the mining company if they decided to relinquish the claims.)

The greater Sawtooth area is one of only a few areas left in the continental United States of Park quality. The 1.4 million acre complex proposed by the Greater Sawtooth Preservation Council would add a premier Park to the National Park system. The area deserves no less than the first-class protection and recognition that Park status would provide. There are now 37 parks in the National Park system. These and the few additional parks which may be created during the next decade are all that we will ever have. The combined pressures of increasing population and increasing interest in Park travel compel us to plan now and to create now our legacy to the future.

TABLE H.R. 6957

Amendment of the present bill to meet some minimum standard of protection is the most desirable course of action. At the very least, such amendments would:

Establish a wilderness National Park in the Sawtooth Mountains. The joint Park Service-Forest Service study of the Area completed and published in August 1965, could be the basis for such action.

Replace the 5-year moratorium on new mineral entry with permanent mineral entry withdrawal.

Delete the second sentence of Section 12 (formerly Section 14) to eliminate the special use permits.

If H.R. 6957 cannot be amended, its flaws of omission would make it an environmental failure and its flaws of commission would make it a tragically low standard for future legislation. The organizations listed below urge the House to amend or table the bill. Passage in its present form would be a disservice to the cause of conservation, to the state of Idaho, and to the Nation.

Mr. Chairman, I have asked a number of the country's leading environmental organizations to give me their appraisal of this bill. Like myself, these groups are opposed to H.R. 6957 in its present form, and favor the Greater Sawtooths preservation council plan as a sounder alternative. I place in the RECORD the letters I have received from these groups in response to my request for their appraisal:

THE WILDERNESS SOCIETY,
Washington, D.C., January 10, 1972.
HON. JOHN P. SAYLOR,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. SAYLOR: We appreciate your request for our views on H.R. 6957 as reported out by the Committee on Interior and Insular Affairs. We have reviewed this bill and the Committee report and find that it represents an unacceptably weak compromise where strong and forthright conservation action is what is so badly needed.

The proposed Sawtooths National Recreation Area as embodied in this bill does not do justice to this nationally significant alpine region of Idaho. This superb natural area deserves the highest status as a national park, and the highest, strongest form of protection which national park status confers. Rather than this, the present bill embodies a whole range of weaknesses and loopholes which will, in fact, severely endanger this magnificent natural area. The bill fails utterly to deal with the immediate and pressing exploitative threats which have motivated nationwide concern for the proper preservation of this area.

We do not believe H.R. 6957 meets the test as sound, progressive conservation legislation. We do not believe it merits your support.

Alternatively, we join many other national and Idaho groups in again commending to your attention the national park-national recreation area proposal put forward by the Greater Sawtooth Preservation Council. This is a sound proposal, dedicated to the assured protection of this area against mining and other wholly inappropriate development. It comes as no surprise, therefore, that H.R. 6957, and not this better, stronger plan, enjoys such support from exploitative interests.

In short, Mr. Saylor, we do not believe H.R. 6957 in its present form deserves your support, nor the support of those of your colleagues who have joined so often in supporting the broad national interest in protecting the most superlative of this Nation's natural areas, among which the Sawtooths of Idaho rank high indeed.

Sincerely,

STEWART M. BRANDBOG,
Executive Director.

SIERRA CLUB,
Washington, D.C., January 24, 1972.

The Honorable JOHN P. SAYLOR,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. SAYLOR: The Sierra Club Board of Directors, more than a year ago, went on record in support of a proposed Sawtooth National Park and Recreation Area as the preferred means of protecting this unique and scenic section of Idaho. The Sierra Club believes that H.R. 6957, the Sawtooth Recreation Area bill reported by the House Interior and Insular Affairs Committee, falls far short of needed protection.

As you know, a number of mining claims checkerboard the area at present and without the restraints provided by National Park status unique and fragile scenic areas such as the White Clouds Mountains could become irreversibly altered. Mining activity is the greatest existing threat to the Sawtooth-White Clouds area and the provisions of H.R. 6957 do not, in our opinion, adequately deal with this potential problem. The pending bill provides a five-year moratorium on new mining claims, but this is not a moratorium on development of existing claims.

At public hearings held in Idaho an overwhelming number of witnesses expressed support for establishment of a National Park comprising units of the Sawtooth Mountains, White Clouds-Boulder Mountains, and Pioneer Mountains, with adjacent national recreation area. This is the concept adopted by the Congress in establishment of the North Cascades National Park and Recreation Area, and the Idaho area provides similar elements of national significance. H.R. 6957 provides for completion of studies of the Sawtooths potential for inclusion in the National Park System by the end of 1973, less than two years away. Much is already known of the area's park values, and it seems reasonable that Congress could make a judgment on park status this year, without further delay, if legislation were processed for establishment of a Sawtooth National Park.

I would like to call your attention to an editorial which appeared in *The Idaho Statesman*, Boise, Idaho, on January 4, 1972, entitled "Sawtooth Bill Needs Amendment". As you will note, this editorial in Idaho's largest newspaper also emphasizes that H.R. 6957 "is too heavily weighted in favor of mining". I appreciate this opportunity to convey views of the Sierra Club to you. With best wishes, I am

Sincerely,

W. LLOYD TUPLING,
Washington Representative.

[From the Idaho Statesman, Jan. 4, 1972]

SAWTOOTH BILL NEEDS AMENDMENT

Critics of the Sawtooth Recreation Area bill passed by the House have pointed out

flaws which should be corrected. As it stands, the bill is too heavily weighted in favor of mining.

Sen. Frank Church is supporting amendments which would strengthen the bill. Mining would remain a possibility, but the odds would be a little better.

A large open pit mine as proposed for the White Clouds area is incompatible either with the recreation area favored by some Idahoans, or the national park management favored by others.

Language in the House-approved bill suggests a positive guarantee to permit mining of existing claims. While rights under existing claims can't be eliminated by legislation, the bill should not encourage mining.

This is the central issue. Various indications of public opinion suggest that most Idahoans don't want mining in the White Clouds. A governor who advocated it was defeated.

At best, Recreation Area status will leave the question of mining existing claims in doubt—dependent largely on administrative decisions of the Forest Service. Language which might tie the agency's hands should be removed.

Senator Church has not proposed to amend the bill to give any of the area park status. But he does propose to eliminate the language concerning existing claims. He also proposes to make the proposed five-year moratorium on new mining claims permanent.

Those changes would take much of the ambiguity out of the bill, putting the emphasis on recreation values. If those values are worth protecting—and they are—the ban on new mining claims should be more than temporary.

A recreation area bill which increases the likelihood of mining in the White Clouds would be worse than a bill which maintains the status quo on that question.

Much of the discussion of the merits of recreation area versus park status has obscured the central issue. That issue is mining or no mining. Witnesses who favored either a park or recreation area at House hearings on Sawtooth legislation were overwhelmingly against mining.

At best, a recreation area bill will leave the question of mining in the hands of the Forest Service. It should be granted as much latitude as possible in dealing with existing claims.

The bill, as approved, calls for a study of park status for the high mountain country. There is strong support for park legislation, which would offer better odds against mining.

A recreation area bill is a compromise at best. That compromise should not include language which improves the odds for the conversion of the Little Boulder Creek valley or other areas into huge open pit operations.

THREAT TO WHITE CLOUD PEAKS

The White Cloud Peaks, about 250 in all, are a spectacular range of mountains about thirty miles northwest of Sun Valley in Idaho. Averaging close to 10,000 feet in height, these snow-capped peaks are dotted with pure lakes, alpine meadows and clear, fast-running streams. Virtually unpopulated, this rugged region has become the scene of intense political controversy because the American Smelting and Refining Company has staked out mining claims and would like to develop a huge open pit mine to extract molybdenum. Conservation-minded voters defeated the Republican Governor of Idaho in 1970 because of his aggressive support of this mining venture.

Today, the House of Representatives is scheduled to consider a bill to establish the Sawtooth National Recreation Area which would encompass the White Cloud Peaks. The bill has some good features. It directs the Secretary of the Interior to study the area as a possible park and it establishes the

Sawtooth "primitive area" as protected wilderness.

The bill also imposes a five-year moratorium on new mining claims, but it specifically permits the development of existing claims. This grave defect in the bill is due to the pro-mining bias of Representative Aspinall of Colorado, the long-time chairman of the House Interior Committee. Not only should there be a permanent ban on new mining claims, but all existing claims should be quashed. Marginal economic benefits do not justify despoiling White Cloud Peaks.

Mr. SKUBITZ. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Chairman, there are individuals in this Nation who would like a larger area preserved as a result of this legislation. There are others who want no area preserved for any purpose. There are some who want a larger or a smaller area with a different kind of designation.

Indeed, as is so frequent in these instances, there are hard advocates diametrically opposed. You experienced lawmakers recognize the fact the peacemaker is not always blessed. You recognize that one who tries to compromise to produce legislation is not always thanked.

In reality, the compromise satisfies neither of these extremes. In this case a fine piece of legislation has been presented. For those who have sought compromise I have much gratitude.

I think it worthy of mention, also, that a man who is, as all of you know, a hard advocate of conservation, as the gentleman from Pennsylvania certainly is, should be commended for the position that he has taken on this legislation.

I want to pledge to him and to the rest of the Members of this body that this is not the last day for the consideration of Sawtooth. If the area is not properly protected, the lach will not be because this is a bad piece of legislation, but rather because we will fail in our task in the future.

This is an excellent piece of legislation deserving the support of all Members of this body. I urge its passage.

Mr. RONCALIO. Mr. Chairman, I rise in support of H.R. 6957 which would establish two separate areas within the Sawtooth Mountains of Idaho—the Sawtooth National Recreation Area, approximately 537,000 acres of the loveliest mountain country in this Nation, and the Sawtooth Wilderness Area of about 216,400 acres for that sector of the million and a half people residing near the area who desire a more complete "wilderness experience."

Interest in the Sawtooth Mountains as a unique scenic area dates back to 1911 when the first bills were introduced to designate acreage as a national park. However, discovery of gold had brought intensive mining activity to the White Clouds area, and mining activity has continued to the present time. In fact, five of the six low grade roads into White Clouds provided access to mining operations.

With the mounting of environmental concerns in the 1960's, Sawtooth has enjoyed a resurgence of public interest. During the first session of this Congress the House Committee on Interior and Insular Affairs took up the matter

of Sawtooth. Public attention, and the attention of Interior Committee members, focused on the White Clouds area, and the reconciliation of the conflicting interests of those who wanted to mine the ore in this region and those who did not want to mar the landscape with either surface mining or the structures associated with underground mining.

After long hours of deliberation, the House Committee on Interior and Insular Affairs, the Department of the Interior, and the Department of Agriculture have concurred to a piece of legislation which takes into account these conflicting interests—interests that have generally been viewed as incompatible.

First of all, H.R. 6957 provides that no new mining claims can be established within the recreation area for a period of 5 years.

Second, the Secretaries of the Interior and of Agriculture are authorized to establish regulations to control the use of motorized or mechanical equipment on any Federal land within the recreation area.

Third, existing claimholders are excused from doing the normally required assessment work without losing the right to claims, so long as a declaration of intent to hold claims is filed.

Fourth, H.R. 6957 does not prohibit those now holding valid claims from prospecting or developing these already existing claims.

Mr. Chairman, I commend this meeting of the minds, and I congratulate all parties involved with the shaping of this legislation for a job well done. The Sawtooth bill sets a precedent of significant importance.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to assure the preservation and protection of the natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreational values associated therewith, the Sawtooth National Recreation Area and the Sawtooth Wilderness Area are hereby established.

(b) The Sawtooth National Recreation Area (hereafter referred to as the "recreation area") and the Sawtooth Wilderness Area (hereafter referred to as the "wilderness area") shall comprise the lands generally depicted on the map entitled "Sawtooth Wilderness Area and Sawtooth National Recreation Area" dated October 20, 1971, which shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture. The Secretary of Agriculture (hereafter called the Secretary) shall, as soon as practicable after the date of enactment of this Act, publish a detailed description and map showing the boundaries of such areas in the Federal Register.

Sec. 2. (a) The Secretary shall administer the Sawtooth National Recreation Area in accordance with the laws, rules, and regulations applicable to the national forests in such manner as will best provide (1) the protection and conservation of the salmon and other fisheries; (2) the conservation and development of scenic, natural, historic, pastoral, wildlife, and other values, contributing

to and available for public recreation and enjoyment, including the preservation of sites associated with and typifying the economic and social history of the American West; and (3) the management, utilization, and disposal of natural resources on federally owned lands such as timber, grazing, and mineral resources insofar as their utilization will not substantially impair the purposes for which the recreation area is established.

(b) The lands designated as the Sawtooth Wilderness Area, which supersedes the Sawtooth Primitive Area, shall be administered in accordance with the provisions of the Wilderness Act (78 Stat. 890), except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act.

Sec. 3. (a) Except as provided in section 4, the Secretary is authorized to acquire by donation, purchase with donated or appropriated funds, exchange, bequest, or otherwise any lands, or lesser interests therein, including scenic easements, which he determines are needed for the purposes of this Act: Provided, That acquisitions of lands or interests therein for access to and utilization of public property, and for recreation and other facilities, shall not exceed 5 per centum of the total acreage of all private property within the recreation area as of the effective date of this Act.

As used in this Act the term "scenic easement" means the right to control the use of land in order to protect the esthetic values for the purposes of this Act, but shall not preclude the continuation of any use exercised by the owner as of the date of this Act.

(b) In exercising this authority to acquire lands, the Secretary shall give prompt and careful consideration to any offer made by an individual owning any land, or interest in and, within the boundaries described in subsection 1(b) of this Act. In considering such offer, the Secretary shall take into consideration any hardship to the owner which might result from any undue delay in acquiring his property.

(c) The Secretary may utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this section only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire only such title as, in his judgment, is reasonably necessary to accomplish the objectives of this Act.

(d) In exercising his authority to acquire property by exchange, the Secretary may accept title to any non-Federal property, or interests therein, located within the recreation area and, notwithstanding any other provision of law, he may convey in exchange therefor any federally owned property within the State of Idaho which he classifies as suitable for exchange and which is under his administrative jurisdiction. The values of the properties so exchanged shall be approximately equal or, if they are not approximately equal, they shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. In the exercise of his exchange authority, the Secretary may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(e) Any land or interest in land owned by the State of Idaho or any of its political subdivisions may be acquired only by donation or exchange.

(f) Notwithstanding any other provision of law, any federally owned lands located within the boundaries of the recreation area may, with the concurrence of the agency having custody thereof, be transferred without consideration to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

(g) Except as otherwise provided, the Sec-

retary shall have the authority to use condemnation as a means of acquiring a clear and marketable title, free of any and all encumbrances.

Sec. 4. (a) The Secretary shall make and publish regulations setting standards for the use, subdivision, and development of privately owned property within the boundaries of the recreation area. Such regulations shall be generally in furtherance of the purposes of this Act and shall have the object of assuring that the highest and best private use, subdivision, and development of such privately owned property is consistent with the purposes of this Act and with the overall general plan of the recreation area. Such regulations shall be as detailed and specific as is reasonably required to accomplish such objective and purpose. Such regulations may differ amongst the several parcels of private land in the boundaries and many from time to time be amended by the Secretary. All regulations adopted under this section shall be promulgated in conformity with the provisions of the Administrative Procedure Act.

(b) After publication of such regulations, no privately owned lands shall be acquired by the Secretary by condemnation unless he determines, in his judgment, that such lands are being used, or are in imminent danger of being used, in a manner incompatible with the regulations established pursuant to this section or unless such lands are determined to be necessary for access or development, in which case such acquisitions shall be subject to the 5 per centum limitation established in subsection 3(a).

Sec. 5. The Secretary shall, as soon as practicable after the enactment of this Act, review the underdeveloped and unimproved portion or portions of the recreation area as to suitability or unsuitability for preservation as a part of the National Wilderness Preservation System. In conducting his review, the Secretary shall comply with the provisions of subsection 3(d) of the Wilderness Act of September 3, 1964 (78 Stat. 892), relating to public notice, public hearings, and review by State and other agencies, and shall advise the Senate and House of Representatives of his recommendations with respect to the designation as wilderness of the area or areas reviewed.

Sec. 6. The Secretary may cooperate with other Federal agencies, with State and local public agencies, and with private individuals and agencies in the development and operation of facilities and services in the area in furtherance of the purposes of this Act, including, but not limited to, the restoration and maintenance of the historic setting and background of the frontier ranch-type town of Stanley.

Sec. 7. Nothing in this Act shall diminish, enlarge, or modify any right of the State of Idaho, or any political subdivision thereof, to exercise civil and criminal jurisdiction within the recreation area or of rights to tax persons, corporations, franchises, or property, including mineral or other interests, in or on lands or waters within the recreation area, except as provided in section 8.

Sec. 8. The Secretary shall permit hunting and fishing on lands and waters under his jurisdiction within the boundaries of the recreation area in accordance with applicable laws of the United States and the State of Idaho, except that the Secretary may designate zones where, and establish periods when, no hunting or fishing shall be permitted for reasons of public safety, administration, fish and wildlife management, or public use and enjoyment. Except in emergencies, any regulations of the Secretary pursuant to this section shall be put into effect only after consultation with the appropriate State fish and game department.

Sec. 9. The jurisdiction of the State and the United States over waters of any stream included in the recreation and wilderness

areas shall be determined by established principles of law. Under the provisions of this Act, any taking by the United States of a water right which is vested under either State or Federal law at the time of enactment of this Act shall entitle the owner thereof to just compensation. Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

Sec. 10. (a) Subject to valid existing rights, all Federal lands located in the recreation area are hereby withdrawn from all forms of location, entry, and operation under the mining laws of the United States for a period of five years from the date of this Act.

(b) The provisions of section 5 of the Act of May 10, 1872 (30 U.S.C. 28), which require that on each mining claim located after May 10, 1872, not less than \$100 worth of labor shall be performed or improvements made during each year until patent has been issued therefor, shall not apply until six months after the expiration of this withdrawal, to claims or interests in claims located within said area. No mining claim or any interest in a claim within said area shall be subject to forfeiture by nonperformance of annual assessment work during the period ending six months after the expiration of this withdrawal: *Provided, however*, that the claimant of any mining location shall, before the expiration of each assessment year during the withdrawal, file or cause to be filed in the office where the location notice or certificate is recorded a notice that he desires to hold his mining claim or interest therein.

Sec. 11. The Congress hereby recognizes and declares the need to take action to regulate the use, and protect the surface values of the Federal lands in the recreation area, and directs that necessary rules and regulations shall be jointly promulgated and issued by the Secretary of Agriculture and the Secretary of the Interior. Such regulations shall include, when deemed necessary, provisions for control of the use of motorized and mechanical equipment for transportation over, or alteration of, the surface of such Federal land in connection with any authorized activities on such land, including but not limited to mineral prospecting, exploration, or development and mining operations.

Sec. 12. Patents shall not hereafter be issued for locations and claims heretofore or hereafter made in the recreation area under the mining laws of the United States. This shall not be construed as preventing or interfering with the full exercise of the rights of the holder of a valid claim to further prospect, develop, and mine any such claim subject to compliance with the rules and regulations covering the Federal land on which any such claim is located.

Sec. 13. There are authorized to be appropriated for the purposes of this Act not more than \$19,802,000 for the acquisition of lands and interests in lands and not more than \$26,241,000 for development. Money appropriated from the land and water conservation fund shall be available for the acquisition of lands, waters, and interests therein within the recreation area.

Sec. 14. (a) The Secretary of the Interior, in consultation with appropriate Federal, State, and local agencies, shall make a comprehensive analysis of the natural, economic, and cultural values of the recreation and wilderness areas for the purpose of evaluating the potentiality of establishing therein a national park or other unit of the national park system. He shall submit a report of the results of the analysis along with his recommendations to the Congress by December 31, 1973.

(b) His report shall show that in making

the aforesaid recommendations he took into consideration, among other things—

(1) the feasible alternative uses of the land and the long- and short-term effect of such alternative uses upon, but not limited to, the following—

(A) the State and local economy,
(B) the natural and cultural environment,

(C) the management and use of water resources,

(D) the management of grazing, timber, mineral, and other commercial activities,

(E) the management of fish and wildlife resources,

(F) the continued occupancy of existing homesites, campsites, commercial and public recreation enterprises, and other privately owned properties and the future development of the same,

(G) the interrelation between recreation areas, wilderness areas and park lands, and
(2) the establishment of a national park in the mountain peaks and upland areas together with such portions of the national recreation area as may be necessary and appropriate for the proper administration and public use of and access to such park lands, leaving the valleys and low-lying lands available for multiple-use purposes.

(c) Any recommendation for the establishment of a unit of the national park system shall be accompanied by (1) a master plan for the development and administration of such unit, indicating proposed boundaries, access or other roads, visitor facilities, and proposed management concepts applicable to such unit; (2) a statement of the estimated Federal cost for acquisition, development, and operation of such unit; and (3) proposed legislation for establishment of such park administrative unit.

(d) There are authorized to be appropriated not more than \$50,000 to carry out the provisions of this section.

Sec. 15. If any provision of this Act is declared to be invalid, such declaration shall not affect the validity of any other provision hereof.

Mr. TAYLOR (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the committee amendment in the nature of a substitute be dispensed with and it be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Are there any amendments to the substitute committee amendment? If not, the question occurs on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAMILTON, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 6957) to establish the Sawtooth National Recreation Area in the State of Idaho, to temporarily withdraw certain national forest land in the State of Idaho from the operation of the U.S. mining laws, and for other purposes, pursuant to House Resolution 774, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. ASPINALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 369, nays 9, not voting 53, as follows:

[Roll No. 8]

YEAS—369

Abbott	Curlin	Harrington
Abernethy	Daniel, Va.	Harsha
Abourezk	Daniels, N.J.	Harvey
Abzug	Danielson	Hastings
Adams	Davis, Ga.	Hathaway
Addabbo	Davis, S.C.	Hébert
Anderson,	Davis, Wis.	Hechler, W. Va.
Calif.	de la Garza	Heckler, Mass.
Anderson, Ill.	Delaney	Heinz
Andrews	Dellenback	Helstoski
Archer	Dellums	Henderson
Arends	Denholm	Hicks, Mass.
Ashley	Dennis	Hicks, Wash.
Aspinall	Dent	Hillis
Badillo	Derwinski	Hogan
Baker	Dickinson	Holifield
Baring	Dingell	Horton
Begich	Donohue	Hosmer
Belcher	Dorn	Howard
Bennett	Dow	Hull
Bergland	Dowdy	Hungate
Betts	Drinan	Hunt
Bevill	Dulski	Hutchinson
Biaggi	Duncan	Jacobs
Blester	du Pont	Jamman
Bingham	Eckhardt	Johnson, Calif.
Blatnik	Edmondson	Johnson, Pa.
Boggs	Edwards, Ala.	Jonas
Boland	Edwards, Calif.	Jones, Ala.
Bolling	Ellberg	Jones, N.C.
Bow	Erlenborn	Jones, Tenn.
Brademas	Esch	Karsh
Brasco	Evans, Colo.	Kastenmeier
Bray	Fascell	Kazen
Brinkley	Findley	Keating
Brooks	Fish	Keith
Broomfield	Fisher	Kemp
Brotzman	Flood	King
Brown, Mich.	Flowers	Kluczyński
Brown, Ohio	Flynt	Koch
Broyhill, N.C.	Foley	Kuykendall
Broyhill, Va.	Ford, Gerald R.	Kyl
Buchanan	Ford,	Kyros
Burke, Fla.	William D.	Landgrebe
Burke, Mass.	Forsythe	Landrum
Burleson, Tex.	Fountain	Latta
Burlison, Mo.	Fraser	Leggett
Burton	Frelinghuysen	Lent
Byrne, Pa.	Frenzel	Link
Byrnes, Wis.	Frey	Lloyd
Byron	Fulton	Long, Md.
Cabell	Gallagher	Lujan
Caffery	Garmatz	McClary
Camp	Gaydos	McCloskey
Carney	Gettys	McClure
Carter	Gialmo	McCollister
Casey, Tex.	Gibbons	McCormack
Cederberg	Goldwater	McCulloch
Celler	Gonzalez	McDade
Chamberlain	Grasso	McDonald,
Chappell	Gray	Mich.
Clancy	Green, Pa.	McEwen
Clark	Griffin	McFall
Clausen,	Griffiths	McKay
Don H.	Grover	McKevitt
Clawson, Del	Gubser	McKinney
Cleveland	Gude	McMillan
Collins, Ill.	Hagan	Mahon
Collins, Tex.	Haley	Mallory
Colmer	Halpern	Mann
Conable	Hamilton	Mathias, Calif.
Conte	Hammer-	Mathis, Ga.
Conyers	schmidt	Matsunaga
Cotter	Hanley	Mayne
Coughlin	Hanna	Mazzoli
Crane	Hansen, Idaho	Meeds
Culver	Hansen, Wash.	Meicher

Metcalfe	Randall	Steele
Michel	Rarick	Steiger, Ariz.
Mikva	Rees	Steiger, Wis.
Miller, Calif.	Reid	Stratton
Miller, Ohio	Reuss	Stubblefield
Mills, Md.	Riegle	Stuckey
Minish	Roberts	Sullivan
Mink	Robinson, Va.	Symington
Minshall	Robison, N.Y.	Talcott
Mizell	Rodino	Taylor
Mollohan	Roe	Teague, Calif.
Monagan	Rogers	Teague, Tex.
Montgomery	Roncalio	Terry
Moorhead	Rooney, N.Y.	Thompson, Ga.
Morgan	Rooney, Pa.	Thompson, N.J.
Morse	Rosenthal	Thomson, Wis.
Mosher	Rostenkowski	Thone
Moss	Roush	Udall
Murphy, Ill.	Rousselot	Van Deerlin
Murphy, N.Y.	Roy	Vander Jagt
Myers	Roybal	Vanik
Natcher	Runnels	Veysey
Nedzi	Ruppe	Vigorito
Nichols	Ruth	Waggonner
Nix	Ryan	Ware
Obeys	Sandman	Whalen
O'Hara	Sarbanes	Whalley
O'Neill	Scherie	White
Passman	Scheuer	Whitehurst
Patman	Schneebeli	Whitten
Patten	Schwengel	Widnall
Pelly	Scott	Wiggins
Pepper	Sebelius	Williams
Perkins	Seiberling	Wilson,
Pettis	Shoup	Charles H.
Peyser	Shriver	Winn
Pickle	Sikes	Wright
Pike	Skubitz	Wyatt
Pirnie	Slack	Wydler
Poage	Smith, Calif.	Wyllie
Podell	Smith, Iowa	Wyman
Poff	Smith, N.Y.	Yates
Powell	Snyder	Yatron
Preyer, N.C.	Spence	Young, Fla.
Price, Ill.	Springer	Young, Tex.
Pucinski	Staggers	Zablocki
Quile	Stanton,	Zion
Quillen	James V.	
Rallsback	Steed	

NAYS—9

Collier	Gross	Saylor
Devine	Hall	Schmitz
Goodling	Price, Tex.	Zwach

NOT VOTING—53

Alexander	Evins, Tenn.	Pryor, Ark.
Anderson, Tenn.	Fuqua	Purcell
Annunzio	Galifianakis	Rangel
Ashbrook	Green, Oreg.	Rhodes
Aspin	Hawkins	St Germain
Barrett	Hays	Satterfield
Bell	Ichord	Shipley
Blackburn	Kee	Sisk
Blanton	Lennon	Stanton,
Carey, N.Y.	Long, La.	J. William
Chisholm	Macdonald,	Stephens
Clay	Mass.	Stokes
Corman	Madden	Tierman
Diggs	Mailliard	Ullman
Downing	Martin	Waldie
Dwyer	Mills, Ark.	Wampler
Edwards, La.	Mitchell	Wilson, Bob
Eshleman	Nelsen	Wolff
	O'Konski	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Rhodes.
 Mr. Hays with Mr. J. William Stanton.
 Mr. Macdonald of Massachusetts with Mrs. Dwyer.
 Mr. Purcell with Mr. Ashbrook.
 Mr. St Germain with Mr. Bell.
 Mr. Tierman with Mr. Mailliard.
 Mr. Stephens with Mr. Blackburn.
 Mr. Shipley with Mr. Martin.
 Mr. Wolff with Mr. O'Konski.
 Mr. Barrett with Mr. Eshleman.
 Mr. Aspin with Mr. Nelsen.
 Mr. Diggs with Mr. Galifianakis.
 Mr. Stokes with Mr. Waldie.
 Mr. Carey of New York with Mr. Clay.
 Mrs. Green of Oregon with Mr. Hawkins.
 Mr. Lennon with Mr. Wampler.
 Mr. Blanton with Mr. Bob Wilson.
 Mr. Corman with Mrs. Chisholm.
 Mr. Evins of Tennessee with Mr. Pryor of Arkansas.

Mr. Ullman with Mr. Mitchell.
 Mr. Downing with Mr. Fuqua.
 Mr. Satterfield with Mr. Mills of Arkansas.
 Mr. Kee with Mr. Rangel.
 Mr. Madden with Mr. Ichord.
 Mr. Alexander with Mr. Anderson of Tennessee.

Mr. Sisk with Mr. Long of Louisiana.

Mr. COLLIER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER—OFFICIAL PICTURE OF THE HOUSE OF REPRESENTATIVES

The SPEAKER. May the Chair have the attention of the Members for a moment?

Members will all be seated and look at the camera during the next 10 minutes while pictures are being taken. The Chair would appreciate Members being quiet and still and sitting while the picture-taking process is underway.

(Thereupon, official pictures were taken while the House was in session.)

ANNOUNCEMENT OF AVAILABILITY OF PICTURES

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute.)

Mr. SCHWENGEL. Mr. Speaker, speaking on behalf of the Historical Society, one of whose activities you have just encountered, I want to say thank you to all of you for having made this possible and for your cooperation, and I would say thank you to the leadership that gave us the authority and inspiration.

I would like to announce that, as before—and this is the second time that this has happened in this manner in the history of this country—the Historical Society will make one four-color print, suitable for framing, available at cost to each Member. There will be some black and white copies available later.

As soon as possible we will have a display of the pictures available, at least those among the best taken today, in the Speaker's lobby, and I shall be available to answer any questions on this or on any matter in relation to the work of the Historical Society and its program.

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I am glad to yield to the gentleman from Texas.

Mr. PICKLE. I thank the gentleman for yielding.

I merely wish to express my appreciation to Congressman SCHWENGEL and the leadership he has given in the United States Capitol Historical Society, not only in making this picture available to us but also for his indefatigable work every day and every year for this society. I commend you for it.

Mr. SCHWENGEL. I thank the gentleman.

Mr. DORN. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from South Carolina.

Mr. DORN. I, too, wish to join the distinguished gentleman from Texas in thanking the gentleman from Iowa for the wonderful job he is doing.

Mr. SCHWENGEL. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to my colleague from Iowa.

Mr. GROSS. Did the gentleman say that the pictures would be available in black and white?

Mr. SCHWENGEL. In color and in black and white.

Mr. GROSS. The pictures, then, have been taken in color, too.

Mr. SCHWENGEL. The gentleman is correct.

Mr. Speaker, I should like to momentarily comment very briefly on the Capitol and its meaning to me and hopefully it can be of some value to my colleagues as they have opportunities to speak to people about this magnificent and impressive public building.

OUR CAPITOL—AN ENDURING SYMBOL

Our Capitol is "A Place of Resounding Deeds." In no other place can one find the ideals, the patriotism, the sentiments, the purposes and the honored traditions of our country so nobly enshrined as in our Capitol.

It is the majestic symbol of the majesty of a grand and a great land. It is the heart of the Nation and the fountainhead of our Government.

Our Capitol is the center from which radiates the people's authority, their power, and their goodness—"We, the People" with the inspiration, the power and the promises of "our holy of Holies", "the Constitution", are here enabled to achieve goals that prompt the respect and admiration of the world.

This place holds out hope for the less fortunate, give assurance to the successful and promise to the ambitious. It is the forum for representative government. It is the citadel of the basic freedoms—within its historic walls the voice of the Republic has been heard. A voice that is still heard in the country and increasingly now throughout the world.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO HAVE UNTIL MIDNIGHT, THURSDAY, TO FILE REPORT ON H.R. 7987

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency have until midnight Thursday, January 27, 1972, to file a report on H.R. 7987, to provide for the striking of medals in commemoration of the bicentennial of the American Revolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas? There was no objection.

THE YORK COLLEGE CRISIS

(Mr. ADDABBO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ADDABBO. Mr. Speaker, the cause of higher education has received a most

severe blow as the result of a veto by New York State Governor Rockefeller of funds needed to construct York College in Jamaica, N.Y. This forward looking community project was endorsed and actively supported by every segment of our city's population.

Because the York College crisis has national significance I am placing in the RECORD at this point the text of a telegram which I have sent to HEW Secretary Richardson in the hope of resolving the financial plight of this project:

DEAR MR. SECRETARY: The recent veto of funds by Governor Rockefeller for proposals for the York College complex in Jamaica, New York was a senseless blow against a community project with broad support from every corner of the Jamaica and greater New York area. The York project is one of national significance and I hope you will use the influence of your office to save this important community education project. New York City has been a leader in developing educational opportunities for its citizens, and if New York fails in its efforts, the entire nation will suffer the consequences. For that reason I urge the Department of Health, Education and Welfare to use its resources to bring the York College project to fruition, to impress upon our Governor the high priority which must be assigned to this project, to mobilize federal, state and local interests and if necessary to provide federal financial assistance. Specifically I ask that you determine whether emergency funds can be made available to continue the York College plans.

The New York Times, in an editorial which appeared in its January 19th edition, discusses the disappointment which we all feel as the result of the Governor's action in this situation. I would ask that the text of that editorial be placed in the RECORD for the information of my colleagues.

A SAD PLAN FOR COLLEGES

Recession and austerity confront the state's public and private colleges and universities with the same critical fiscal problems. The threat of disaster may technically take different shape—budget cuts for public institutions and deficits for private ones—but the ultimate consequence for both is a decline in quality, restricted educational opportunities and even the specter of bankruptcy.

It is therefore unfortunate that Governor Rockefeller, in his budget message, has suggested that the remedy be sought in a dramatic increase of tuitions at the low-cost or free public campuses as a means of making the high-cost private ones appear more competitive. Such protective tariffs would add prohibitively to the cost of higher education for the great mass of students from middle-income families. Even with added scholarships for the poor, the end effect would be to restrict opportunities and seriously inflate the educational portion of the cost of living.

Even if this maneuver were to boost the private institutions' sagging enrollment, which is doubtful, it would do nothing to strengthen their long-term financial position and would instead lead to further tuition increases.

Such a policy of deliberately phasing out low-cost higher education presages a closing of opportunities for needy students and mounting costs for middle-income ones. This is precisely why the Governor's suggestion for merging the City University with the state system raises doubts about what would otherwise be a decidedly rational course.

Far more productive, particularly in a situation that requires quick aid, could be Mr. Rockefeller's appeal for statewide and

regional cooperation between the public and private sectors. The logical immediate step would be to contract out the public universities' excess students to fill the 14,000 vacancies on the private campuses, with the state contributing the tuition differential. This would provide instant aid to private higher education, while relieving overcrowding and reducing expenditures at the city and state universities.

Such action should be viewed as the beginning of a rational, long-range realignment of the state's higher education system. It is clearly preferable to a panicky effort to protect the private colleges at the expense of the public ones.

REQUIRING THAT THE CONGRESS BE NOTIFIED ON IMPOUNDMENT OF FUNDS BY THE PRESIDENT

(Mr. ANDERSON of Tennessee asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDERSON of Tennessee. Mr. Speaker, I submit to the House for appropriate reference a bill to require that Congress be notified by the President whenever he impounds or authorizes the impoundment, withholding, or deferring of appropriated funds.

This legislation would provide that the President cease the withholding of funds if the Congress does not approve his actions during a 60-day period.

My statement to the House on January 19 concerning the withholding and impoundment of appropriated moneys by the current administration has prompted me to introduce this measure.

The bill is based on one introduced by the distinguished Senator from North Carolina, the Honorable SAM ERVIN, on September 27, 1971, and is similar with one exception. The definition of impoundment has been changed to coincide with the definition used by the "Glossary of Terms Relating to the Budget and Fiscal Provisions of the Legislative Reorganization Act of 1970" issued by the U.S. General Accounting Office in December 1971. The glossary defines impoundment as "any type of executive action which effectively precludes the obligation or expenditure of the appropriated funds."

In extensive hearings held last March, Senator IRVIN's Subcommittee on the Separation of Powers brought out the fact that the Executive Office of Management and Budget had impounded over \$12 billion in areas where great need exists. As a result of these hearings, and subsequent information received by the various departments, I instructed my staff to research the 10 major grant programs within the Department of Housing and Urban Development, and Agriculture. We discovered that, from fiscal year 1971, OMB impounded over \$1 billion in model cities, water and sewer, Urban Renewal, FHA, and REAP. In addition, we learned that the administration plans to impound over \$500 million in the basic water and sewer program and over \$300 million in model cities at the end of this fiscal year.

Mr. Speaker, I know of no one who is doing more to preserve our Constitution and the constitutional prerogatives and obligations of the Congress than is the

distinguished Senator from North Carolina. I think that all of us serving in Congress, every citizen, indeed every future citizen, owes him a deep debt of gratitude.

My statement of January 19 referred to executive impoundment but concentrated on what I believe is the President's manipulation of this year's appropriations for the purposes of enhancing his chances at the polls in November.

I pointed out that from the 10 areas we research within the Departments of Housing and Urban Development, and Agriculture, the administration is planning to obligate 80 percent of those moneys for programs during the closing months of fiscal year 1972 so that its impact will be maximum by election day.

It is presently the duty of both Houses of Congress to appropriate funds for various programs administered by the executive. We can, by our legislative process, reduce or increase funding when we feel the need arises. There has been a growing tendency over the years for the executive to, at will, exercise what amounts to an item veto over appropriations passed by Congress simply by deferring, withholding, or impounding funds for programs the Congress deemed necessary, but the executive did not.

Mr. Speaker, I believe that a serious constitutional question exists here. Is it constitutional for the executive to impound funds appropriated to it by Congress, and is it constitutional for the executive to manipulate the flow of funds into the communities of this Nation for obvious political purposes?

The Constitution of the United States explicitly gives the legislative branch of Government the power to investigate the problems of this Nation and to move to appropriate funds for the alleviation of these problems. The Constitution does not give the President an item veto over our actions and does not give him authority to defer, withhold, or impound any funds appropriated by Congress.

The bills which Senator ERVIN introduced and which I introduce here today would give the legislative branch a real check on the impoundment practices of the executive.

This bill is simple in content but potent in the effect it will have in reestablishing Congress' power over the purse.

In addition to requiring the President to notify, by special message, his intention to impound and the necessity of congressional approval within 60 days, the bill provides that the approving concurrent resolution shall be privileged business, and it specifies rules of procedure which will provide for ease of consideration and a reasonable period of debate.

Mr. Speaker, I ask unanimous consent to have printed in the RECORD at this point the text of the bill.

H.R. 12641

A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may approve the President's action or require the President to cease such action

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That (a) whenever the President impounds any funds appropriated by law out of the Treasury for a specific purpose or project, or approves the impounding of such funds by an officer or employee of the United States, he shall, within ten days thereafter, transmit to the House of Representatives and the Senate a special message specifying—

- (1) the amount of funds impounded,
- (2) the specific projects or governmental functions affected thereby, and
- (3) the reasons for the impounding of such funds.

(b) Each special message submitted pursuant to subsection (a) shall be transmitted to the House of Representatives and the Senate on the same day, and shall be delivered to the Clerk of the House of Representatives if the House is not in session, and to the Secretary of the Senate if the Senate is not in session. Each such message shall be printed as a document for each House.

SEC. 2. The President shall cease the impounding of funds set forth in each special message within sixty calendar days of continuous session after the message is received by the Congress unless the specific impoundment shall have been ratified by the Congress by passage of a resolution in accordance with the procedure set out in section 4 of this Act.

SEC. 3. For purposes of this Act, the impounding of funds includes—

- (1) withholding or delaying the expenditure or obligation of funds (whether by establishing reserves or otherwise), appropriated for projects or activities, and the termination of authorized projects or activities for which appropriations have been made, and
- (2) any type of executive action which effectively precludes the obligation or expenditure of the appropriated funds.

SEC. 4. (a) The following subsections of this section are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described by this section; and they shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

(b) (1) For purposes of this section and section 2 the term "resolution" means only a concurrent resolution of the House of Representatives or the Senate, as the case may be, which is introduced in and acted upon by both Houses before the end of the first period of sixty calendar days of continuous session of the Congress after the date on which the President's message is received by that House.

(2) The matter after the resolving clause of each resolution shall read as follows: "That the House of Representatives (Senate) approves the impounding of funds as set forth in the special message of the President dated —, House (Senate) Document numbered —."

(3) For purposes of this subsection and section 2, the continuity of a session is broken only by an adjournment of the Congress sine die, and the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the sixty-day period.

(c) (1) A resolution introduced with respect to a special message shall not be referred to a committee and shall be privileged business for immediate consideration. It shall at any time be in order (even though a previous motion to the same effect has

been disagreed to) to move to proceed to the consideration of the resolution. Such motion shall be highly privileged and not debatable. An amendment to the motion shall not be in order, and it shall not be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) If the motion to proceed to the consideration of a resolution is agreed to, debate on the resolution shall be limited to ten hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution shall not be in order. It shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to, and it shall not be in order to move to consider any other resolution introduced with respect to the same special message.

(3) Motions to postpone, made with respect to the consideration of a resolution, and motions to proceed to the consideration of other business, shall be decided without debate.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the House of Representatives or the Senate, as the case may be, to the procedure relating to a resolution shall be decided without debate.

PRESIDENT NIXON'S PEACE OFFER DESERVES UNITED SUPPORT

(Mr. McCLODY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCLODY. Mr. Speaker, last night in another dramatic announcement to the American people, the President of the United States disclosed that a series of secret negotiations have been carried on between the Government of the United States and the Government of North Vietnam since August 1969.

On May 25, 1971, a number of my colleagues joined me in a concurrent resolution calling upon the President to withdraw all American forces from Vietnam by November 30, 1971, contingent upon the release of all American prisoners of war, the establishment of a cease fire, and the mutual withdrawal of all foreign forces from South Vietnam by that date.

This morning I reviewed many of the bills and resolutions which were introduced in the first session of the 92d Congress calling upon the President to set a deadline for the withdrawal of American forces from Vietnam. I also reviewed several newspaper clippings which were highly critical of the President for refusing to set a deadline and for failing to respond to the seven-point program offered by the Vietcong in July of last year.

As we learned last night, the President has offered to set a definite time for withdrawal of American forces. He has responded to the seven-point program of the Vietcong, and he has negotiated diligently and in good faith with the Government of North Vietnam—both publicly and privately.

Like so many other Members of Congress I was surprised and indeed astounded that the President has offered almost every proposal which we in Congress were attempting to urge upon him by legislation. For example, in my House Concurrent Resolution 321, which was introduced on May 25, 1971, the President was urged to set a deadline in exchange for

the return of all American prisoners of war and a cease fire in Indochina. We know now that on May 31, 1971, Dr. Kissinger made such a proposal to the North Vietnamese on behalf of the President and the American people.

This is only one example of the way in which the President has exhausted every possible avenue for bringing the conflict to an end.

Mr. Speaker, I believe it is time for Congress and the American people to make public their support of the President in his efforts to secure peace in Southeast Asia. Therefore, I am today introducing a House concurrent resolution to commend the President on his peace efforts and to encourage him to continue to seek peace in Vietnam, and I seek unanimous consent that the text of this resolution be inserted in the CONGRESSIONAL RECORD at this point.

CONCURRENT RESOLUTION

Whereas, the President of the United States, in August, 1969, began a series of secret negotiations with the government of North Vietnam endeavoring to bring peace to Indochina;

Whereas, on May 31, 1971, the President offered to set a deadline for the withdrawal of all American forces in exchange for the release of all prisoners of war and a ceasefire;

Whereas, the government of North Vietnam rejected this peace offer;

Whereas, the President continued, despite that rejection, to negotiate in good faith with the government of North Vietnam both in public and in private, and

Whereas, the government of North Vietnam has rejected or failed to respond to all peace offers, both public and private, and instead intensified the war in Indochina: Now, therefore, be it

Resolved by the House of Representatives (The Senate concurring), That it is the sense of Congress that the President of the United States be commended for his diligent efforts to achieve peace in Indochina.

SEC. 2. It is further the sense of Congress that the President be encouraged to continue to seek a peaceful solution to the war in Indochina according to the plan made public to the American people on January 25, 1972.

SEC. 3. It is further the sense of Congress that the President be urged to give the highest priority to securing the release of all American prisoners of war and to withdrawing all American forces from South Vietnam.

SEC. 4. It is further the sense of Congress that the President be encouraged to seek the assistance of other nations including particularly the People's Republic of China in obtaining the cooperation of the government of North Vietnam in arriving at a peaceful solution to the war in Indochina.

SEC. 5. It is further the sense of Congress that the President of the United States is, and has been, pursuing a course of action dedicated to achieving peace in Indochina which deserves the support and encouragement of Congress and the American people.

HEARINGS ON CONSTITUTIONAL OATH SUPPORT ACT AND REPEAL OF SUBVERSIVE ACTIVITIES CONTROL ACT

(Mr. PREYER of North Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PREYER of North Carolina. Mr. Speaker, a subcommittee on Internal Security which I chair has this day opened

hearings on bills which would either repeal or amend the Subversive Activities Control Act of 1950 and would reform the Federal Civilian Employee Loyalty and Security program. In the consideration of these bills the subcommittee is confronted with a number of diverse but related issues. These are briefed in my opening statement which I include in my remarks for the information of interested Members.

The statement follows:

OPENING STATEMENT BY THE HONORABLE RICHARDSON PREYER, CHAIRMAN, SUBCOMMITTEE ON LOYALTY AND SECURITY, HOUSE COMMITTEE ON INTERNAL SECURITY, JANUARY 25, 1972

This subcommittee, consisting of myself as Chairman, together with Mr. Ichord who is Chairman of the full Committee, Mr. Pepper, Mr. Ashbrook, and Mr. Zion, continues its oversight inquiry into the operation and administration of the Subversive Activities Control Act of 1950 and of the Federal Civilian Employee Loyalty-Security Program.¹ At the same time we meet today and hereafter to consider bills relevant to this inquiry which have been referred to this subcommittee for consideration and report. These include H.R. 11120, introduced on October 6, 1971 by Mr. Ichord and myself, a bill to repeal the Subversive Activities Control Act of 1950, to establish procedures assuring that the constitutional oath of office shall be taken in good faith, and for other purposes; and two bills introduced by Mr. Ashbrook which would amend the Subversive Activities Control Act of 1950, namely, H.R. 9669, a bill drafted and requested by the Attorney General, introduced on July 8, 1971, and the bill H.R. 574, introduced on January 22, 1971.

The subcommittee's extensive inquiry has revealed a number of failures in the administration of the Subversive Activities Control Act and of the loyalty and security program. Undoubtedly, the bills we consider, although of varying scope, represent an effort to repair some of these deficiencies. It is evident, however, that the programs will require extensive remedial action by the executive branch, perhaps even more so than by the enactment of basic legislation. Moreover, it may be necessary to alter our approach to some of these problems, both from the standpoint of authorizing legislation and executive branch action.

In enacting the Subversive Activities Control Act, we should recall that the Congress sought to cope with Communist techniques of deceit and concealment. They pose a serious threat to the "effective, free functioning of our national institutions."² To that end the Congress established a system of public disclosure—or exposure, if you will—of Communist organizations characterized by the Act as "action," "front," and "infiltrated." Adopted at a time when the world Communist movement was largely unified under the leadership of the Communist Party of the Soviet Union, the provisions of the Act were formulated so as to embrace only those organizations which were Moscow-controlled. The Subversive Activities Control Board, established by the Act, was given the quasi-judicial function of making determinations, on motion of the Attorney General, of the character of organizations as Communist.

¹ Hearings (to date) on this subject have been printed and published in three parts or volumes titled, "Hearings Regarding the Administration of the Subversive Activities Control Act of 1950 and the Federal Civilian Employee Loyalty-Security Program."

² A phrase borrowed from Mr. Justice Frankfurter, in *Communist Party v. Subversive Activities Control Board*, 367 U.S. 1, at 97 (1961).

In addition to the bare disclosure purposes of the Act, the Board's determinations with respect to the character of organizations have certain collateral consequences related to the Federal employee loyalty and security program. The Act contains a provision making it unlawful (under penal sanction) for any member of a Communist-action or Communist-front organization to hold non-elective office or employment under the United States. It is to be noted, however, that the Department of Justice has never instituted any prosecution under this provision.

While the Attorney General has the responsibility of initiating all cases before the Subversive Activities Control Board, he has also assumed responsibility under Executive Order 10450 for designating "totalitarian, Fascist, Communist, and subversive" organizations in furtherance of the employee loyalty-security program. There is thus some overlapping of activity. It is to be observed, however, that the executive order is not limited to Moscow-controlled organizations, but embraces all varieties of groups commonly known as Communist as well as others which are non-Communist. Moreover, under the Act the determination of Communist organizations was made by the Board, but under the executive order determinations were made by the Attorney General. That was the situation until July 2, 1971, when, on promulgation of E. O. 11605, amending E. O. 10450, the Subversive Activities Control Board was assigned the additional non-statutory function of making determinations, on petition of the Attorney General, of organizations described in the executive order.

Both under the Act and the executive orders the function of designating organizations has met with obstacles which, at least to date, have never been wholly overcome. That the failures may be attributed to a variety of causes is no doubt true. One difficulty has been that, with the exception of the Act's administration by Herbert Brownell, who served as Attorney General for the period 1953-57, the Justice Department's enforcement efforts have not been particularly aggressive. Herbert Brownell instituted proceedings against 23 Communist organizations. He was followed by William P. Rogers who instituted no cases against Communist organizations. Thereafter, Robert F. Kennedy initiated but one front case; Nicholas Katzenbach instituted but one front case; Ramsey Clark instituted no cases; and John N. Mitchell initiated two front cases. This is the record, although we have reason to believe that a larger number of Communist organizations have been in existence since the Subversive Activities Control Act was enacted in 1950. Designations under the executive order demonstrate similar inaction. Prior to 1955, not less than 283 organizations had been designated under executive orders (including not only E. O. 10450, promulgated by President Eisenhower in 1953, but also a prior order, E. O. 9835, promulgated by President Truman in 1947). None has been designated since that time.

Moreover, the President's basic directive—E. O. 10450, first promulgated in 1953—has been applied by the agencies, I should say, with varying degrees of confusion. Much of this confusion may be ascribed to the fact that a simple "loyalty" program initiated by President Truman in 1947 on the promulgation of E. O. 9835, was replaced by a program which endeavored to combine "loyalty," "security," and "suitability" under a security standard of "clearly consistent with the interests of the national security." Following the adoption of E. O. 10450, the United States Supreme Court, construing the application of the order to the dismissal of a Federal employee under the Act of August 26, 1950, had occasion to describe this inartificially phrased order as both awkward in form and ambiguous. *Cole v. Young*, 351 U.S. 536, 556 (1956). The 1950 Act, which authorizes cer-

tain summary procedures in connection with dismissals from employment "in the interests of the national security," was held to be applicable to "sensitive" positions only. Our investigation has indicated that the ambiguities in the order have indeed affected the administration of the loyalty-security program, and that some agencies have applied the reasoning of this case so as to limit the application of the program under E. O. 10450 to sensitive positions only. In the years since *Cole v. Young* the Department has failed to clarify the language of the order.

On the other hand, an explicit statutory authorization—those provisions of law commonly referred to as the Hatch Act, now 5 U.S.C. 3333 and 7311—denying employment to persons maintaining subversive organizational membership, was struck down by a 1969 decision of the Federal District Court for the District of Columbia in *Stewart v. Washington*, 301 F. Supp. 601. Provisions of that Act requiring that an individual be denied office or employment in the Government of the United States or of the District of Columbia, unless he executed an affidavit that (1) he does not advocate "the overthrow of our constitutional form of Government," and (2) is not "a member of an organization that he knows advocates the overthrow of our constitutional form of Government," were invalidated on the alleged ground that clause (1) was not limited to "violent" overthrow, and that clause (2) applied to "passive and inert membership" and members "who may not share" the views of the group on this advocacy. The Department of Justice took no appeal from this lower court decision, although the decision voided an Act of Congress and established or asserted principles adversely affecting programs intended to preserve the integrity of the Government itself.

In saying what I have, it is of course not my intention at this time to review, or even to summarize, all of the facts and issues touched upon in the course of the subcommittee's inquiry. It is my purpose to reserve a more detailed exposition for inclusion in the report of the subcommittee. I have scratched the surface of this vast and complicated subject only to place the measures before us in some perspective. Suffice for present purposes to say that the bills before us address themselves to one or more aspects of the principal issues to which I have referred; namely, the question of the repeal or retention of the Subversive Activities Control Act of 1950; the question of the relationship of the Attorney General's list to the administration of the loyalty-security program; the question of an appropriate employment standard to assure the maintenance of a loyalty program for access to positions now commonly called "non-sensitive"; and the question of remedial legislation in light of *Stewart v. Washington*.

The bill, H. R. 11120, would repeal the Subversive Activities Control Act of 1950 (under which the Subversive Activities Control Board has functioned) and would establish a Federal Employee Security and Appeals Commission. This Commission would have the function of making determinations of the character of certain (subversive) organizations and also serve as an appeal board for Federal employees dismissed on loyalty or security grounds. Its functions would be performed only in connection with the administration of an executive branch civilian employee screening program established by the bill, and not for general disclosure purposes. This program would require in general pre-appointment investigations and the exclusion of persons as to whom there is reasonable doubt that they will in good faith support the Constitution of the United States.

Only such organizations as are clearly relevant to the employment standard are the subject of determination by the Com-

mission. These include (1) organizations which have as a purpose the overthrow of the Government of the United States or of any State by force, violence, or any unlawful means, (2) organizations which advocate, teach, or urge, as a principle to be translated into action, the propriety or necessity of armed resistance or resistance by force to the execution of laws of the United States or the propriety or necessity of assisting or engaging in any rebellion or insurrection against the authority of the United States, and (3) organizations controlled by the foregoing and which operate in support of their purposes. The Commission will proceed to make these determinations only upon application made by the Attorney General, by the head of any Department or Agency of the executive branch in cases in which the character of particular organizations is a controverted fact in issue before the agency, and such other persons as the President may authorize.

Determinations of the character of such organizations are for the purpose of assisting the employing agencies in the investigation of individuals so that "only such persons as are loyal to the Constitution, disposed to defend and maintain it against all enemies, foreign and domestic, and committed to the efficient execution of their duties thereunder, are employed by the Government of the United States." For this purpose likewise, and as an alternative to the requirements of the provisions of the Hatch Act invalidated in *Stewart v. Washington*, the bill requires the completion of a written questionnaire by an applicant for federal employment relating to his membership in organizations advocating or teaching that the Government of the United States or of any State should be overturned by force, and organizations determined by the Commission to be of the type previously noted. Unlike the Hatch Act "Loyalty Oath," there is in this provision no denial of employment conditioned on a disclaimer of membership in relevant organizations. The questionnaire is for investigative purposes only, to assist the agency concerned in arriving at its ultimate determination with respect to the question whether there is any reasonable doubt that the applicant will in good faith support the Constitution of the United States.

On the other hand, the bill, H.R. 9669, would retain the Subversive Activities Control Act of 1950 in its present form with the exception that it would change the name of the Subversive Activities Control Board by re-naming it the "Federal Internal Security Board." The bill is an Administration proposal and is intended to give support to the President's July 2, 1971 amendment (E. O. 11605) to E. O. 10450. The bill in no way alters the Act. Its provisions would make applicable to proceedings conducted pursuant to E. O. 10450, as amended, those provisions of sections 13 and 14 of the Subversive Activities Control Act of 1950 which accord subpoena power to the Board, require public hearings with the assistance of counsel and the right to cross-examination, require the Board to take evidence and proceed to a determination of the issues when an organization fails to appear at a hearing, make punishable misbehavior in the presence of the Board or so near thereto as to obstruct the hearings, and accord judicial review.

This amendment to E. O. 10450 authorizes the SACB upon petition of the Attorney General to make determination of the character of certain organizations described in the order as totalitarian, fascist, communist, subversive, or whether adopting a policy of unlawfully advocating commission of acts of force or violence to deny others their rights under the Constitution or laws of the United States or of any State, or which seek to overthrow the Government of the United States or any State or subdivision thereof by unlawful means. These determinations are in aid of the administration of the screening

program established by E. O. 10450 which has a purpose "to insure that the employment and retention in employment of any civilian officer or employee within the department or agency is clearly consistent with the interests of the national security."

I should note that several organizations, including some identified as Communist, have already brought action to enjoin the execution of E.O. 11605. This action, commenced in the U.S. District Court for the District of Columbia,³ was dismissed this January 10, 1972 by Judge Gesell on the ground that it was prematurely brought. In his opinion, however, Judge Gesell indicated that there were some "disturbing implications" in what he described as an effort "to revitalize a loyalty program that has found little favor." "There is, for example," he said, "no precedent for a President delegating to an independent, quasi-judicial body far-reaching responsibilities different in form and effect from those specifically given that body when created by the Congress." Moreover, wholly apart from the question of delegation, Judge Gesell declared that "the Order contains definitions governing listing that appear on their face to raise constitutional problems by reason of their vagueness and overbreadth and the resulting effect on the rights of many Government workers, present or future." The Court indicated that it would act if the President's order is later implemented by an "informative petition" of the Attorney General which will establish "a basis for whatever organization is challenged and those similarly situated to test the delegation and the alleged overbreadth of the Order before hearings are held."

The bill, H.R. 574, would amend the Subversive Activities Control Act of 1950 by conferring on the Attorneys General of each State the power to initiate cases and to continue proceedings before the Board to the same extent and manner as conferred upon the Attorney General of the United States by the terms of the Act. This appears to be an effort to expand the work of the Board, particularly in view of the fact that over the years, following the administration of Attorney General Brownell, the Department of Justice has not given the Board an appreciable amount of work to do.

It is our hope and purpose to resolve the issues disclosed by our inquiry. Perhaps we can, after consideration, reach a consensus of opinion which may be reflected in a clean bill and that it may find support within the subcommittee, the Committee, and ultimately the Congress. I say now, as I have said before, that at this stage in our history it should be clear to all that the systematic efforts to undermine our free institutions requires some kind of internal security system. In saying this, I call for the cooperation and assistance of all thinking and dedicated members of our society, of liberals and of conservatives alike.

On the one hand, liberals by now must surely appreciate the great stakes they have in the survival of the democratic system, whose defects they can freely criticize under the ground rules of the Bill of Rights. They have thus a great stake in seeing that those ground rules are not abused by subversives. It is proper that liberals should attack abuses in security programs, but they must also recognize the unpleasant necessity of such programs. On the other hand, conservatives for their part must recognize that absolute security is impossible and that we can pay too high a price in straining to achieve an impossible ideal. The problem is to achieve more security in particular areas of risks and do so in such a way that we do not lose more by the methods we use than by the disasters we prevent. We must use creative intelligence to protect our free society from its hidden enemies without making less free those who are not its hidden enemies. I believe this

³ Civil Action No. 1776-71, *American Servicemen's Union, et al v. Mitchell*.

result can be accomplished within the framework of reasonably effective legislation.

PUBLIC SERVICE HOSPITALS

(Mr. O'NEILL asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. O'NEILL. Mr. Speaker, in the near future Congress must face an issue over which there has been much concern: the continuation of the Public Health Service hospitals that have served this Nation since our independence.

There have been repeated threats to the existence of the public health service hospital system, and each time Congress has demonstrated its commitment to keep these facilities open. When the administration let it be known, through the Department of Health, Education, and Welfare, that it intended to close the last of the eight remaining Public Health Service hospitals, the disclosure was met by an overwhelming response from the communities affected and from the Congress.

More than 250 Congressmen joined in a resolution expressing their desire to see that the hospitals remain open and funded. After holding extensive hearings on this matter, and after seeking the opinion of the Comptroller General—which was that the Department of HEW had no power to close the eight hospitals—Congress was assured that the facilities were not in jeopardy and that vital and much needed health-care services would not be terminated.

Only last month Congress again learned that HEW fully intended to move ahead with their plans, without informing the legislative branch of their intentions, in violation of express congressional action.

At a time when this Nation is facing a severe health-care problem, it seems incongruous that we are considering the closing of existing hospitals rather than restoring, revitalizing, and renovating these facilities so that they can dispense better care to more people.

The Brighton Marine Hospital is an excellent example. We who live in Boston are extremely fortunate to have a Public Health Service hospital. During fiscal year 1970, this hospital treated 17,000 people and cared for more than 58,000 in need of outpatient care. Among those treated were American seamen, members of the Coast Guard, and other military personnel and their dependents. But, thousands more received benefits from this Boston hospital.

Like other Public Health Service facilities, the Boston facility works closely with the community in all facets of health care. Each week the Boston Public Health Service hospital conducts three family planning clinics with special services for low-income citizens. It provides a college mental health infirmary. Coast Guardsmen receive intensive care in a rehabilitation program fostered by the hospital. Research by its pharmacists has resulted in a new program of drug distribution and a modification of the unit-dose system that is serving as a prototype for all Public Health Service hospitals.

The hospital works closely with several universities and technical schools in the

area in the training of medical laboratory assistants, dental assistants, physical therapists, medical-record technicians, and medical students. On-the-job training programs are conducted for a vast array of skills—skills that are in strong demand across the Nation.

I am not alone in my support for this Boston Public Health Service Hospital. In the report of the consultant sight visit team to Boston, conducted as part of the Public Health Service hospital conversion study, statements clearly support maintenance of this facility. The report reads in part:

Considering the diversity of responsibilities which have been assigned to this facility, closing the facility and transferring responsibility for all service activities to civilian institutions would present many difficult problems. . . .

The report further states:

A strong case could be made for the continued operation of the facility which, with minor alterations, could discharge its current responsibilities for many years. The physical plant is not obsolete and seems well adapted for the purpose it serves. Many specialized services would have to be continued and could probably be operated with greatest efficiency from a facility such as this which has in reserve a reservoir of trained personnel. . . .

The facts lead to only one conclusion, the Boston Public Health Service hospital should be modernized and expanded to better meet the needs of the community and beneficiaries which it has served so well.

The Public Health Service hospitals serve an important function in the health delivery system of this Nation. There are millions of Americans who depend partially or wholly on the care and services which the hospitals provide, services which they have provided since the first Congress established the Marine hospitals.

I will continue to take every step to insure that these facilities are kept open, and that the administration is not allowed to clandestinely shut down Public Health Service hospitals without the express consent of the elected representatives of the people.

THE 54TH ANNIVERSARY OF THE INDEPENDENCE OF UKRAINE

The SPEAKER pro tempore (Mr. PUCINSKI). Under a previous order of the House, the gentleman from Pennsylvania (Mr. Flood) is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, this observance of the 54th anniversary of Ukraine is for a number of reasons a most significant occasion. One reason is that Ukraine, the largest non-Russian nation both in Eastern Europe and in the U.S.S.R., has again attracted unusual world attention these past few months. As pointed out in a recent letter sent to us by Dr. Lev E. Dobriansky of Georgetown University and president of the Ukrainian Congress Committee of America, Ukraine was drawn in as an analogy in the two-China's issue in the United Nations. But the letter, which I append

to my remarks, could not include the world coverage given to Josef Cardinal Slipyj's condemnation of Soviet Russian genocide of both the Ukrainian Catholic and Orthodox Churches in Ukraine. The Cardinal's address at the recent synod in the Vatican gained the sympathy of all for the victims of this physical genocide.

The second important reason for this anniversary occasion is the widespread police-state action being taken against intellectual and other national dissidents in Ukraine. As reported in our media, scores of Ukrainians are being arrested, including such persons as Yevgen Sverstyak, Ivan Svitlychuy, Ivan Dzuba, Viktor Nekrasiw, and Vyacheslav Chornovil. Moscow's cultural repression of Ukraine is a long-standing blight on civilized standards, going as far back as the 1920's. In the past few years it has been waged with ever-increasing intensity.

A third reason for us to note the importance of this event is the forthcoming trip of our President to the Soviet Union. The plans for the President's trip to Red China call for more than a working session in Peking; he will be visiting other cities in that area. On a people-to-people basis, it is all the more important that forthcoming plans for the trip to the U.S.S.R., include a visit to the historic capital city of Ukraine. The conspicuous difference between the two trips is that the latter would be one of visiting different nations within the U.S.S.R., and this would be entirely in conformity with the spirit and substance of our policy toward all nations in Eastern Europe. The occasion for this observance provides us the opportunity to express the hope shared by millions of Americans that that like De Gaulle, Trudeau and others in the recent past, the President will plan to visit Ukraine, too, come next May.

Another salient reason for us to specially observe this 54th anniversary is the number of congressional resolutions and measures dealing with Ukraine and which deserve our most careful attention and consideration. These include Senate Joint Resolution 10 and House Resolution 70, designating January 22 as Ukrainian Independence Day, House Resolution 293, establishing a Special Committee on the Captive Nations, and House Joint Resolution 994, seeking U.S. diplomatic relations with the largest non-Russian nation in Eastern Europe.

THE RESURRECTION OF THE UKRAINIAN ORTHODOX AND CATHOLIC CHURCHES

Mr. Speaker, in the light of my foregoing remarks and because of the urgency of the matter, I should like to take this occasion to apprise all of my colleagues of the concurrent resolution I plan to submit in seeking the resurrection of both the Ukrainian Orthodox and Catholic Churches in Ukraine. I earnestly hope that our moral consciences will provide the broadest cosponsorship of this vital resolution, and that it will also be moved shortly in the Senate. I am hopeful, too, of the widest possible support for this proposed resolution from our concerned religious groups and organizations in this country.

To seek the resurrection of the Ukrainian Orthodox and Catholic Churches in Ukraine, the resolution states the following:

Whereas the Charter of the United Nations, as well as its Declaration of Human Rights, sets forth the objective of international cooperation "in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion. . ."; and

Whereas in the Constitution of the Union of Soviet Socialist Republics article 124 unequivocally provides that "In order to ensure to citizens freedom of conscience, freedom of religious worship and freedom of anti-religious propaganda is recognized for all citizens"; and

Whereas not just religious or civil repression but the genocide—the absolute physical extermination—of both the Ukrainian Orthodox and Catholic Churches in a nation of over 45 million brutally violates the basic civilized rights enunciated above: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President of the United States of America shall take immediate and determined steps to—

(1) call upon the Government of the USSR to permit the concrete resurrection of both the Ukrainian Orthodox and Catholic Churches in the largest non-Russian nation both within the USSR and in Eastern Europe; and

(2) utilize formal and informal contacts with USSR officials in an effort to secure the freedom of religious worship in places of both churches that their own Constitution provides for; and

(3) raise in the General Assembly of the United Nations the issue of Stalin's liquidation of the two churches and its perpetuated effect on the posture of the USSR in the light of the U.N. Charter and the Declaration of Human Rights.

Mr. Speaker, as concerns the currency of problems relating to Ukraine and the Soviet Union, I should like to append to my remarks the illuminating letter sent to Members of Congress by Dr. Lev E. Dobriansky of Georgetown University and also the section on "Ukrainica in American and Foreign periodicals" appearing in the current winter issue of the Ukrainian Quarterly:

UKRAINIAN CONGRESS,
COMMITTEE OF AMERICA, INC.,
New York, N.Y., January 18, 1972.

In the past few months the term "Ukraine" has figured prominently in the news. For example, in the U.N., Secretary of State Rogers and others injected it into the China debate, while one of our delegates, Congressman Derwinski of Illinois, referred to it in his outstanding condemnation of Russian imperio-colonialism in the USSR.

As the largest captive non-Russian nation both in the USSR and Eastern Europe, Ukraine and its 47 million people must be faced and dealt with realistically if we are to forge a people-to-people interdependence to advance the goal of world peace for the last quarter of this century. There are many knowledgeable ways by which this can be accomplished, including a visit by the President next May to this historic nation in the USSR, but a more immediate occasion presents itself in the 54th Anniversary of the Independence of Ukraine this January 22.

You and the Congress can play a vital role in our foreign policy by focusing attention on Ukraine and the other captive non-Russian nations in the USSR. Your statement during the week of January 23 will reach the hearts and minds of the Ukrainian people and also enlighten our own as to the imperial-colonialist nature of the USSR. Both in the Senate and in the House, where time is being reserved by Congressman Daniel J. Flood for Wednesday, January 26, this "54th" will be observed. We urge you to support also

(1) the new Flood resolution seeking the resurrection of the Ukrainian Catholic and Orthodox Churches in the USSR (2) S.J. Res. 10 and H. Res. 70, designating January 22 as Ukrainian Independence Day (3) H. Res. 293, establishing a Special Committee on the Captive Nations and (4) hearings on the Zablocki resolution (H.J. Res. 994) and the Burke resolution, respectively seeking U.S. diplomatic relations with Ukraine and Byelorussia and ousting their representatives in the U.N. At the rate Moscow is developing militarily, we had better start showing a deep interest in the colonial non-Russian areas of the USSR—just as Peking has been doing for years.

With grateful thanks for your forward-looking participation and best personal regards,

Sincerely,

LEV E. DOBRIANSKY,
Georgetown University.

UKRAINICA IN AMERICAN AND FOREIGN PERIODICALS

"A Chronicle of Resistance," an article by Valentyn Moroz, V.F.W., Veterans of Foreign Wars Magazine, Kansas City, Mo., February 1971.

The editor's note introducing this fascinating article by the imprisoned 35 year old Ukrainian intellectual rightly compares him with American prisoners in North Vietnam in that they are men willing to sacrifice everything for the ideal of freedom. Moroz was incarcerated by the Russians in 1966 to serve five years of hard labor. His crime? Simply writings that have displeased Moscow.

Along with other works, this piece has found its way to the West from a Russian prison. It was translated by Zirka Hayuk, a language librarian at the University of Wisconsin. The piece deals with Russian genocide of the church in Ukraine and the suppression of religious freedom. It also treats of book-burning by the authorities in Kiev, Tartu, Samarkand, but nowhere in Russia itself.

As the writer puts it, "The people who defend the church are ready for sacrifices for the sake of an ideal. They are few but then fighters are always few." He goes on to say, "It is impossible to break people, to make slaves out of them until you steal from them their holidays, until you destroy their traditions and trample over their temples." He minces few words about "the insanities of Stalin and Khrushchev."

"Ukrainian Prelate Attacks Papacy," a report by Alexander Chancellor, *The Washington Post*, Washington, D.C., October 30, 1971.

Highly significant on the international level of religious and political affairs is this report of Cardinal Joseph Slipyj's address at the Vatican Synod, bitterly attacking the Vatican for its refusal to help persecuted Ukrainians in the USSR. The attack is also an indirect one against Moscow and its puppets. In doing this for the first time, the 79 year old cardinal broke an eight-year silence since his release by Moscow in 1963.

The prelate is reported as saying "Because of diplomatic negotiations, the Ukrainian Catholics who have suffered so much as martyrs and confessors are pushed aside as inconvenient witnesses of past evils." He also pointed out, "We have become an obstacle for church diplomacy . . . Cardinal Slipyj does nothing for his church—what can he do? The Vatican has interceded for Latin Catholics but has kept silent about six million Ukrainian faithful who are suffering persecution for their faith."

The report also cites the appeal, titled "Defense of the 'Silent Church,'" signed by five Ukrainian Catholic bishops of the U.S., led by Metropolitan Ambrose Senyshyn. It calls for the intercession of church hierarchies and international leaders "on behalf of 'persecuted' Christians and Jews in the Ukraine." Both of these statements now sig-

nificantly serve as a basis for united and common action among the bishops of the Ukrainian Catholic Church. There can be no question about the Vatican's silence and devious diplomacy concerning the six million Ukrainian Catholics in Eastern Europe.

"63 Form a Group To Guard Morals," a report, *The New York Times*, New York, February 14, 1971.

With the objective to end the erosion of U.S. standards, the formation of the Committee to Unite America is described in this report. The president of the new committee is Lady Malcolm Douglas-Hamilton, who is the former Natalie Wales who in 1939 founded the Bundles for Britain organization and in 1947 the original Common Cause group. The former sent six million dollars in relief aid during World War II and the latter was formed to resist international communism.

The view explaining the objective of the committee appears in its announcement that "a destructive nihilism, compounded of the worst elements of totalitarianism has been unleashed on the United States and has taken an awesome toll in mortality, patriotism, religion, education, community responsibility, social stability and the national will and confidence to serve as a free nation." One of the 63 founders signing the pronouncement was Dr. Lev E. Dobriansky, president of the Ukrainian Congress Committee of America. UCCA was an active participant in the original Common Cause.

"Congress Hails Brezhnev, Policies," a report, *The Washington Post*, Washington, D.C., April 6, 1971.

Important in this report on the 24th congress of the Communist Party of the Soviet Union is the emphasis placed on the non-Russian nations in the USSR. As one example, "Many observers have recorded resentment of domination by Great Russians, sometimes assisted by Ukrainians and Byelorussians. The latter resent Russian domination in their own right, too." It is also pointed out that the trend has become more explosive as "Soviet peoples have become aware of national liberation movements around the world."

Another interesting item cited as concerns this trend is "the fact that the Great Russians are thought to be a minority in the Soviet Union for the first time." Actually, nationality breakdowns of the census taken in January 1970 remained unpublished by the time of the congress in March-April 1971.

There are numerous quotations in this report from speeches bearing on Russian/non-Russian relations in the USSR. It is sufficient to take Brezhnev's, which runs in the standard and typical vein: "All the nations and nationalities of our country, above all the great Russian people, played their role in the formation, consolidation and development of this mighty union of equal nations that have taken the road to socialism. The revolutionary energy, dedication, diligence and profound internationalism of the Russian people have quite legitimately won them the sincere respect of all the other peoples of our Socialist motherland." Like Khrushchev, Brezhnev is reported in the West as being "a Ukrainian." Both Russians have been misidentified. However, any analyst familiar with the long trend of fiction and disparity between the Russians and non-Russians in the USSR senses the ultimacy of this determinant for the collapse of the USSR.

"American Security Council Devotes Time To Captive Nations Week," an introduction, *Congressional Record*, U.S. Congress, Washington, D.C., July 22, 1971.

Introduced by Representative Kemp of New York, several texts of interviews and statements on the 1971 Captive Nations Week observance appear in this issue of the nation's history. As the Congressman points out at the beginning of his remarks, "Mr. Speaker, the American Security Council devoted 6 days of its program 'Washington

Report,' broadcast nationwide on the Mutual Broadcasting System—just before and during Captive Nations Week—to the plight of those nations still living under Communist subjugation." This was a notable one of countless programs and rallies in the United States and abroad devoted to the annual observance.

The texts cover interviews with Congressmen Derwinski, Gerald Ford, Crane, Hogan and Pucinski, and also Dr. Lev E. Dobriansky, chairman of the National Captive Nations Committee. As many know, Moscow has long sought the abolition of Captive Nations Week, which Congress provided for in 1959. Particularly it is fearful of any official concentration in this country on the non-Russian nations in the USSR, a subject which receives prominence in these interviews.

Congressman Derwinski, for example, emphasizes, "The many non-Russian nations within the U.S.S.R., Lithuanians, Latvians, Estonians, Ukrainians, Armenians, and others have as much right to self-determination as any peoples served by independent governments." Comparing Vietnam with the early independent non-Russian republics, Dr. Dobriansky declares, "The so-called civil war there had been repeated time and time again, going all the way back to 1917-1918 in areas that are now within the Soviet Union, such as Byelorussia, Ukraine, Georgia and elsewhere." Such constant emphasis on the non-Russian nations in the USSR cannot but bear productive fruit for freedom everywhere.

"He Translates Favorite Poem So Canadian Children Can Enjoy It," an article by Joan Phillips, *The St. Catharines Standard*, Canada, January 9, 1971.

This well-written article is about Ukrainian-born Bohdan Melnyk who resides in St. Catharines and has translated the long narrative poem *Lys Mykyta*, or *The Sly Fox*, for the benefit of Canadian children. He is quoted as saying, "I could read the book hundreds of times. It's always fresh." He knows much of it by heart in the original Ukrainian.

The translator used the edition published in 1953 and written by the famed Ukrainian author Ivan Franko in 1890. The translation produced by Mr. Melnyk into English amounts to 147 pages. The book was favorably received in Canada. It also consists of illustrations which the translator copied by hand from the 1953 edition.

"Soviet Census Shows Russians Hold Majority, Jews Decrease," an article by Anthony Astrachan, *The Washington Post*, Washington, D.C., April 17, 1971.

Significantly, it was after the 24th Congress of the CPSU that Moscow finally released the nations census breakdown in the USSR. The Russian element, according to it, still makes up the majority despite the well-known fact that the Russians have a birth rate that lags behind the other nations in the USSR. For two decades now, it can be said that an internal analysis of Moscow's demographic figures has established a minority status for the Russians.

The writer points out accurately that the delay in publishing the latest breakdown reinforced suspicions that the Russians were in the minority and did not want to admit it—suspicions that flourished on the lavish praise for Soviet success in officially resolving all nationalities problems at the recent party congress. The so-called nationalities problem is of long and insoluble standing in the USSR.

According to the released figures, the Russians number 129 million of the 241.7 million population in the USSR. This is 53.4 percent of the total, slightly down from 54.5 percent of the 1959 census. Aside from other adjustments, one need only recognize the Cossack nationality of 10 million, deduct it from the Russian, and the so-called Great Russians dwindle into a minority. According to the

padded figures, the Ukrainians are supposed to make up 40.8 million, the Byelorussians 9.1 million, and the Jews 2.1 million, though in each of these cases reliable estimates upgrade them to 45, 10 and 3 million respectively.

"America as Liberator of Man," an introduction by Senator Fulbright, *Congressional Record*, U.S. Congress, Washington, D.C., April 5, 1971.

It is no source of wonderment why Senator Fulbright would introduce into the nation's annals this article written by the eccentric columnist in *The Washington Post*, Nicholas von Hoffman. The columnist presents a cynical piece on American liberating efforts and asks "Whom Do You Choose?" Jews, Ukrainians, Latvians and others are mentioned. In his words, "The Ukrainians, the Latvians, the Tartars, the writers, the scientists, the dozens of other groups who may not want to leave but who certainly want liberation"—whom do you choose?

The choicest paragraph in the piece is this one: "Yet for 30 years there have been a succession of American groups that have clamored for our intervention in other countries' internal affairs. Nothing is sadder than Captive Nations Day, and nothing has been more despicable than politicians who've exploited the anguish behind it, by suggesting we could 'free' Poland or Estonia if we really wanted to." The writer then adds, "No single issue has given more impetus to the idea that there are secret Russian collaborationists in our government than this one."

Given to factual distortions, the writer doesn't know that there is no such thing as Captive Nations Day, nor have any politicians suggested on record what he purports. As for the Captive Nations Week issue giving impetus to the idea of Russian collaborators in our government, this is obviously another credit for the Captive Nations Week resolution. One must be blindly naive to suppose that they aren't there.

"Slavery—Nations or Individuals?," an article by Walter Trohan, *Chicago Tribune*, Chicago, Illinois, February 17, 1971.

The distinguished writer of the Washington Report column in this leading mid-West organ devotes his long column to the captive nations and relates the subject to slavery. At the very outset, he states, "Slavery was abolished in the United States more than a century ago, but it still exists in the Soviet Union and no American should forget it."

He points out, "Russia has held peoples in slavery under the czars and under communism." Referring to Captive Nations Week, he recalls that "the Captive Nations Committee has issued its own commemorative stamps to remind Americans of the many peoples under Communist domination by conquest rather than inclination." He then asks, "How many of us can name the captive nations?" His detailed answer to the question includes Azerbaijan, Slovakia, Ukraine and practically all of them.

Bearing on the infamous Kudirka case of last year, the writer expresses surprise that the State Department failed to suggest a trade for the communist black Angela Davis. Actually, the idea was broached, but the feeling was that Angela didn't relish the idea of living in the Soviet Union. She preferred to stay here and parade about as a dissenting "communist" in an environment of freedom. "Genocide in the Ukraine," a report, *Our Sunday Visitor*, Catholic periodical, Washington, D.C., March 28, 1971.

This account is introduced by a quote from Patrick Cardinal O'Boyle, Archbishop of Washington, that "The Ukrainian Catholic Church must be protected." It was addressed to the inauguration of the Roman Smal-Stocki Lecture Series at St. Josaphat's Seminary in Washington. It is a matter of record that numerous bishops of the Latin Rite of the Catholic Church have taken a similar stand regarding the Church both in the Free World and in Ukraine and elsewhere in the Red Empire.

Most of the report is devoted to the lecture delivered by Metropolitan Ambrose Senyshyn of Philadelphia. The highlights of the lecture are given in this lengthy report. As it points out, "In his lecture the Archbishop stated that the Soviet Union systematically planned the complete destruction of the Byzantine-Ukrainian Catholic and Ukrainian Autocephalous Orthodox Churches in Soviet Ukraine, notwithstanding its so-called constitutional guarantees of religious freedom . . ."

"Jews Hated But Useful To Russian Regime," an article by Roscoe Drummond, *The Philadelphia Inquirer*, March 10, 1971.

The author of this article has consistently been short, acutely at that, on knowledge of Ukraine. In fact, his articles over the years have shown marks of disdain for things Ukrainian. In this one, dealing with the persecution of Jews in the USSR, he displays his feelings again.

His thesis concerning the Jews is that their cause is hopeless because of a regime flouting world opinion, persecution is indigenous to a dictatorship, and the talents of the Jews are useful in many programs. In developing this thesis the writer then states, "It is not surprising that the Nazi invaders of Soviet territory in World War II soon found faithful followers in the occupied areas, especially among the Ukrainians, who helped them carry out their crimes against the Jews." Of course, the well-documented facts are that scum of every nationality, including Russian, collaborated with the Nazis in this respect and that recorded cases of Ukrainians, both lay and religious, asyluming Jews from the Nazis by far exceeded the crimes of the collaborators. To confuse the national aspect of the opportunity afforded by the German invasion for liberation from Russian domination with individual anti-Semitism is the height of folly. And this writer has been capable of such folly on more than one occasion.

"The Path Chosen Forever," an article by L. Tupchiyenko, *Radianska Ukraina*, Kiev, USSR, December 25, 1970.

The work being currently undertaken at Columbia University on the subjugated non-Russian nations in the USSR appears to be a source of fright for some Ukrainian communists. This article starts with the usual clichés about the country being "subjected to the attack of inveterate ideological champions of the world of capital." In stereotyped language, it continues, "Ukrainian bourgeois nationalists who have been ejected onto the garbage heap of history execute the orders of the forces of anti-communism with particular fervor."

After all this and more is said in characteristic fashion, the object bugging the writer is finally considered. Namely the aforementioned project itself. He raises the question, "What problems in the life of Ukraine, Georgia, Azerbaijan, Uzbekistan and other Soviet republics will these 'researchers' study?" It is implied that they have no problems, foremost that of independence from the ever-sacrificing overseers in Moscow?

"Assembly of Captive European Nations Convene in New York City," an address by the Honorable Ray J. Madden, *Congressional Record*, U.S. Congress, Washington, D.C., September 22, 1971.

In the third week of September the Assembly of Captive European Nations held its annual meeting in the Carnegie Endowment International Center in New York City. It is an open secret that the delegates of the Assembly themselves are aware of the fact that not all of the captive European nations are represented, as, for example, Ukraine, Byelorussia and, in a special sense Russia, but this has been the result of misdirected policy action for which the delegates themselves are not responsible. The Assembly has been an active supporter of Captive Nations Week, which refers to many more captive

nations than can be found represented in the Assembly.

The address delivered by Congressman Madden at this meeting is significant in several aspects. Almost at the beginning he declares, "The Congress of the United States must also be commended for its proclamation in authorizing the Captive Nations Resolution twelve years ago." He goes on to say, "The unanimous enactment by the Congress of the Captive Nations Resolution was one of the most devastating diplomatic acts that the free nations have taken against the communist conspirators since World War II." Regrettably, what the distinguished Congressman failed to state is that the resolution has yet to be concretely implemented, particularly in the area of political warfare. The measure, for example, calling for a Special House Committee on the Captive Nations has still not been acted upon. There can be no doubt that in time it will have to be realized.

"Pro and Con the Columnists," letters-to-the-editor, *The Evening Bulletin*, Philadelphia, Pa., February 6, 1971.

In a special column devoted to readers' comments on the columnists a letter written by Irene and Bohdan Hasiuk commends a piece by Edith Kermit Roosevelt on Ukraine. The editor's caption placed over the letter reads "Miss Roosevelt's column about Ukraine is lauded." Miss Roosevelt has for years written accurately and understandingly about Ukraine and the captive nations.

The concerned writers state in part, "One would hope that in this modern era of the disintegration of Western imperialisms, the days of the Russian Empire (or, as it calls itself, the Soviet Union) are numbered." Of course the Russian Empire extends beyond the borders of the USSR and the captive nations concept is not grasped by the writers, but it is laudable that citizens take the time to express themselves on this crucial subject. If thousands upon thousands were to do this, there can be no doubt that public enlightenment concerning the Soviet Russian Empire would be considerably advanced. Unfortunately, this is not the case.

"The 1971 Captive Nations Week And A Special Committee On The Captive Nations," an address by the Honorable Daniel J. Flood, *Congressional Record*, U.S. Congress, Washington, D.C., October 14, 1971.

From the time of the Week's observance in July 1971 through October, reports, addresses and other items have been introduced into the *Congressional Record*, showing the variety and scope of the latest Week's observance. The address by Congressman Flood begins with this pungent truth, "Mr. Speaker, as every one with an objective sense well knows, the captive nations—27 of them—still are very much captive. This reality is not to be brushed under the rug unless, of course, some choose to live in a fool's world."

As in dozens of other insertions and introductions this year, this one presents proclamations by the Governor of Florida and the Mayor of Kansas City and a diversity of material concerning the 1971 Captive Nations Week. Featured are the address by the Honorable Samuel S. Stratton at the Week's rally in Taipei, China, the remarks of Ambassador McConaughy at the same observance, and newspaper reports on the observance in Buffalo, as given in the Ukrainian Catholic daily *America*. The October *Reader's Digest* listing of the numerous captive nations, reproduced from that issued regularly by the National Captive Nations Committee, also appears. In addition, three long reviews during the period of the current work dealing with the captive nations in the USSR, titled *U.S.A. and The Soviet Myth* also is given prominence in this insertion.

All of this material, which could run into volumes in book form, is eventually sent to the library of Syracuse University, which is the archive for the National Captive Nations Committee in Washington. Accumu-

lated papers, reprints, books and other material have been entrusted to the Syracuse library. They cover the period from July 1959 to the present.

L. E. D.

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. STRATTON. Mr. Speaker, I am proud to join today in this annual observance here in the House of Representatives of Ukrainian Independence Day. As we approach the 200th anniversary of our own independence here in America and commemorate the sacrifices and struggles of our own forefathers in their fight for liberty, we are reminded of those still struggling for independence in other parts of the world under present day tyrannies.

It was on January 22, 1918, and after 2½ centuries of Polish and Russian domination, that the people of the Ukraine threw off the shackles of oppression and declared themselves at last a free and independent nation. That date marked the fulfillment of the dreams of 10 generations of Ukrainians who had never relinquished their desire for freedom in all that long time.

They, after less than 3 years of independence, during which the people of the Ukraine put up a valiant struggle for the protection of their homeland, the new Communist regime in the Soviet Union overran the Ukraine and once again established totalitarian rule over that troubled land.

Fifty-four years have passed now, and although the Communist regime continues its oppressiveness, the spirit of freedom still continues to flourish unabated in the hearts of the Ukrainians just as it flourished in the hearts of their ancestors prior to 1918. And just as that ancestral spirit culminated in independence on January 22, 1918, so the Ukrainians trapped today under this latter-day Soviet brand of tyranny will once again, we deeply believe, see their dreams of independence fulfilled.

For us that hope is symbolized by Ukrainian Independence Day, observed in this country by Americans who join those in the Ukraine who are forced to observe this date in secret. An official national recognition of Ukrainian Independence Day in this country would certainly be appropriate to honor those men and women who maintain their continuing struggle for freedom; I have joined in introducing legislation providing for just such an official proclamation. Enactment of this legislation, House Resolution 137, would not only recognize the efforts of those in the Ukraine struggling for freedom, but would also honor all those thousands of Ukrainians who have come to America and who have contributed so greatly and brilliantly to the advancement of our domestic ideals, while continuing their own efforts to free their homeland.

I am proud of the fact that in 1969 I was honored to receive the Schevchenko Freedom Award from the 10th Annual Congress of Americans of Ukrainian Descent in recognition of my efforts in the cause of Ukraine's freedom. Today I reaffirm my dedication to that cause, and call upon my colleagues in the House, and on all Americans, also to reaffirm

their commitments to hasten the day when the Ukraine will once again be a free nation.

Mr. GERALD R. FORD. Mr. Speaker, January 22 marked the 54th anniversary of the proclamation of independence of the Ukrainian National Republic. Today I am pleased to join with my colleagues in the House in observing that anniversary.

Ukrainians on January 22 also celebrated the 53d anniversary of their act of union, whereby all Ukrainian ethnic lands were united into one independent and sovereign state of the Ukrainian nation.

Although the Soviet Union recognized the young Ukrainian democratic republic, the Soviets almost simultaneously declared war on the infant nation and began a large-scale invasion of the Ukraine.

The Ukrainian people courageously sought to repel the invader over a period of 3 years but in 1920 the superior forces of the Soviet Union prevailed. Thus the Ukraine became a part of the Russian Communist empire.

Mr. Speaker, the Ukrainian people have never accepted Soviet rule and have never lost their desire for new independence and freedom. All Americans who believe in self-determination share with the Ukrainians the hope that they will one day live in liberty.

So now do we join with Ukrainians in America and throughout the world in celebrating the 54th anniversary of the Ukrainian Declaration of Independence. I am proud to join with my colleagues in saluting a valiant people.

Mr. DERWINSKI. Mr. Speaker, today in the House we commemorate Ukrainian Independence Day. Saturday was the 54th anniversary of Ukraine's short-lived freedom. It was on January 22, 1918, that the Ukrainians declared their independence from Communist Russia. In 1920, the infant nation was once again taken over by its huge neighbor. The Bolsheviks did not take the Marxist doctrine about the state's withering away very seriously and became imperialists soon after they seized power in their bloody revolution. As a result, the ancient land of Ukraine has been part of the Soviet Empire for over half a century.

No fewer than 74 nations have become independent since the close of World War II. Fifty-five of them are smaller in size than Ukraine, which is 232,046 square miles in area. Only five of the 74 new countries have more inhabitants than Ukraine's 47,136,000.

If Nauru, with only 8 square miles of territory and but 7,000 people, merits independence, surely Ukraine's vast size and huge population entitle it to an existence outside the Soviet Union. A land possessing tremendous agricultural and industrial resources and boasting a cultural background that is centuries old, Ukraine deserves something better than exploitation by Communist oppressors. There is room in the family of nations for both Nauru and Ukraine.

Mr. Speaker, our liberal colleagues, who belatedly have come to recognize that the Soviet Union is, in fact, the world's greatest colonial practitioner, ought to be joining those of us who advocate independence for Ukraine.

It is appropriate that so many Members of the House join in emphasizing the right of the Ukrainian people to self-determination and freedom. I note, Mr. Speaker, that there is a so-called Ukrainian S.S.R. holding membership in the U.N. as a controlled vote of the Soviet Union. Legitimate membership of the Ukraine in the U.N. will come only when its people are served by a government of their choice, one of the great traditions in the history of the Ukrainian people.

Mr. PUCINSKI. Mr. Speaker, I join my colleagues today in commemorating the 54th anniversary of the independence of Ukraine.

When the Russian Czar was overthrown, the Ukrainian leaders proclaimed their independence on January 22, 1918, bringing into existence the Ukrainian National Republic.

Since the outset of its independence, the new Republic was faced with serious threats and difficulties, the most severe of these being the Communist government in the Kremlin. Freedom for the millions of Ukrainians was shortlived, and a few years later they were taken over by the Soviet Union.

Since that time the Ukrainian Republic has suffered armed aggression, political subjugation and persecution, religious persecution, genocide, political murders, cultural persecution and Russification, and economic exploitation.

In spite of all this incredible suffering, the Ukrainian struggle against Communist tyranny and her spirit for independence, freedom, and liberty has not died and is, in fact, stronger today than ever before. And so long as this spirit is alive, the Ukrainians will never give up their resistance to the Communist totalitarians.

I am indeed honored to take part in the observance of the 54th anniversary of Ukrainian Independence Day, and it is my cherished hope that the oppressed Ukrainians will soon regain their freedom.

Mr. STEIGER of Arizona. Mr. Speaker, January 22 marked the 54th anniversary of the proclamation of the Ukrainian National Republic and the 53d anniversary of the proclamation of the act of union whereby western Ukraine united with the Ukrainian National Republic of the Ukrainian people. To the Ukrainian people these proclamations meant freedom of the individual and independence as a nation.

But the freedom and independence to which they had aspired for two and a half centuries lasted only a few years; it was soon extinguished by the Communist Russian takeover.

During the five decades since that time the Ukrainian people have not given up hope of once more regaining their freedom and independence. This week we salute the Ukrainian people who have steadfastly served the cause of freedom by their refusal to resign themselves to enslavement by giving up the struggle despite overwhelming odds.

This week Members of Congress and serious-minded people everywhere are paying tribute to the struggle of these proud people by focusing attention on Ukraine and the other captive non-Russian nations in the Soviet Union.

Mrs. GRIFFITHS. Mr. Speaker, on

January 22, 1918, the Ukrainian nation declared itself a free and independent state. Shortly thereafter, in 1920, this large and beautiful area bordering the Black Sea became victim to the Soviet Russian march toward world conquest. These gallant people, although overrun with communism within 3 years of their independence, today serve continuously as an inspiration and guiding light to all men of peace, freedom, and independence. The Soviet Union has incorporated the Ukraine within the geographical boundaries of the Soviet Union, as though to obliterate from history the previous existence of the Ukraine as a nation. The Soviet Union denies national identity to the Ukrainian people, claiming they form an integral part of Russia. Yet the Soviet Union will never succeed in erasing the memory of national existence from the hearts of the Ukrainian people. Today, these national feelings are a source of concern to the Soviet leadership for they can be exploited by foreign and Soviet Ukrainian elements that seek either the establishment of an independent Ukraine or greater political and cultural freedom from Moscow.

It is a privilege to be able to join my colleagues, my countrymen, and freedom-loving people throughout the world in commemorating this—the 54th anniversary of the independence of Ukraine. Certainly, it is our continued hope that they will again regain their freedom and live in peace in their homeland.

Mr. LINK. Mr. Speaker, January 22, 1972, marked the 54th anniversary of Ukrainian Independence Day. At this time I wish to reaffirm my support to the peoples of Ukraine who are denied not only a self-determined government, but spiritual, cultural and social freedoms. I believe this denial of basic human rights to be an affront to human dignity.

The Ukraine is the largest Slavic country in Eastern Europe, its population numbering 50 million. The Ukrainian peoples obtained freedom for only a fleeting moment. This came as a result of the Russian Revolution and the defeat of the autocratic forces of Austria which had been ruling the Ukrainians. The opportunity for the assertion of freedom came on January 2, 1918, the day they proclaimed their independence. The democratic government instituted in the new Ukrainian National Republic did its utmost to cope with the new state's multiple problems, but it had neither the manpower nor the resources to cope with these effectively. Before the Republic could master sufficient force to establish itself, the country was attacked by the Red army in the fall of 1920 and overrun. In late November of that year the Ukraine became part of the Soviet Union. Thus ended the brief 2-year period of independent existence for the Ukrainian peoples.

In commemoration of this just but short-lived freedom, I insert a proclamation issued by North Dakota Gov. William L. Guy on behalf of the approximately 25,000 Americans of Ukrainian descent now living in North Dakota:

PROCLAMATION

On January 22, 1972 Ukrainians in North Dakota and throughout the free world will

solemnly observe the 54th anniversary of the proclamation of a free Ukrainian state.

After a defensive war lasting 4 years, the Ukrainian state was destroyed in 1920 and a puppet regime of the Ukrainian Soviet Socialist Republic was installed, later becoming a member state of the Soviet Union.

The once free Ukraine is now no more than a colony of Communist Russia and its vast human and economic resources are being exploited for the purpose of spreading communism.

The United States Congress and the President of the United States of America have recognized the legitimate right of the Ukrainian people to freedom and national independence by respectively enacting and signing the Captive Nations Week Resolutions in July, 1959, which enumerated Ukraine as one of the captive nations enslaved and dominated by Communist Russia.

Some 25,000 Americans of Ukrainian descent now living in North Dakota have made significant contributions to both state and nation.

Now, therefore, I, William L. Guy, Governor of the State of North Dakota, do hereby proclaim Saturday, January 22, 1972, as "Ukrainian Independence Day" in North Dakota and urge all citizens to demonstrate their sympathy with and understanding of the aspirations of the Ukrainian nation to again achieve its rightful inheritance of freedom and independence.

In witness whereof, I have set my hand and caused the Seal of the Great State of North Dakota to be affixed this 17th day of January, 1972.

Mr. RODINO. Mr. Speaker, less than 2 months ago, on the occasion of the 25th Anniversary Convention of the Organization for the Defense of Four Freedoms for the Ukraine, I emphasized the need to continually voice our support and our desire for the restoration of freedom and national independence to the Ukrainian nation. I wish to reinsert these remarks today, as the expression of my feelings upon the 54th anniversary of the independence of the Ukraine are equally as applicable and most assuredly as strong:

THE NEED TO REMEMBER THE UKRAINE

Mr. Speaker, Ivan Dzyuba stands as a symbol for the new Ukrainian intellectual. In early September 1965, he was detained in Kiev under the pretext that he had sent to the West a diary of the deceased young poet, Vasyl Symonenko, where it had been published together with several poems banned in the Soviet Union. Over 100 individuals were said to have been arrested in Kiev and Lvov at this time; secret trials, not reported in the Soviet press, were stated to have taken place. Many of those tried with Dzyuba were sentenced to 7 years hard labor and sent to Siberia as punishment for their "struggle against the Soviet state system." They were proven to be "morally unstable persons" who had fallen under the influence of hostile nationalities' propaganda and who had read books not passed by Soviet censorship. Suffering from acute tuberculosis, Dzyuba was later released. The words of Dzyuba call for a thorough revision of the principles of socialist realism—"We should judge each society by the position and meaning it gives to man, by the value it puts on human dignity and human conscience." For these ideas and for these feelings he was brought to trial.

According to Soviet law, all trials must be held in public. The basic denial of justice experienced in these secret trials was criticized by a young Ukrainian journalist and critic, V. M. Chornovil. When summoned during procedures to appear as a witness for the prosecution, he refused to testify on the

grounds that the trial was not open and was therefore, illegal. Chornovil himself was soon brought to trial for his subversive actions:

"My innocence seemed much too obvious to me. But as the trial proceeded, my rosy optimism gradually began to change into black pessimism. I saw clear prejudice and understood that I would not succeed in stopping the operation. My request that witnesses be called and documents be included was rejected without any reasoned explanation; the evidence I gave at the beginning of the trial was not discussed."

Thus, Ukrainian individuals are strongly speaking out against Soviet attempts to break up the Ukrainian nation, the largest, most concentrated national minority in the Soviet Union, both physically and morally. Traditional resentment of rule from Moscow has been strengthened by the repressive actions of present and past times. In his campaign against "bourgeois nationalism," Stalin virtually wiped out the Ukrainian intelligentsia during the 1930's. Millions of Ukrainian peasants starved to death and were deported to Siberia during collectivization. In the postwar years, the country was hard hit by famine and mass reprisals against whole villages accused of aiding anti-Soviet guerrillas. It will take generations before these things are forgotten.

What exactly are the Chornovils and the Dzyubas demanding for their people? They ask that the Ukrainians have the opportunity to know their history, culture, and language and to feel proud of their heritage. They ask for a return to the principles of self-determination of nations and the fostering of every nation's free and unimpeded development. They note the existence in Eastern Europe of Communist countries independent in carrying degrees, but incomparably more independent than a Soviet Union Republic in the position of the Ukraine. They desire to see the Soviet Ukraine as truly existing and genuinely equal among the socialist family of nations, to see it as a national reality and not simply as an administrative geographic term. The Ukrainian demands aim at the practical implementation of rights guaranteed in article 17 of the Soviet Constitution, converting a Union Republic's right to secede without impediment from empty fiction into reality.

It is noteworthy that most of the spokesmen of this movement are young people who have been educated and nurtured in the teachings of Soviet patriotism. This new generation lacks the direct experience of the paralyzing fear which blanketed their country during Stalin's great terror. It is better equipped as a whole, to think for itself and less prepared to take things for granted. This form of opposition is striking both for its moderation and for its high intellectual level. Yet, the situation and its people are typical of the present ferment as a whole which seems to be enveloping a great many of the captive nations; it is for this reason that this form of opposition commands such evident respect.

The test of the validity of any social structure is the extent to which it is able to come to terms with internal opposition. Moscow has continued to respond to this challenge by extending police repression and by strengthening its utilization of prison camps. According to Michael Browne in his "Ferment in the Ukraine."

"The extent of the ferment and discontent in the Ukraine and the degree to which the central regime in Moscow regards ferment as a danger to the integrity of its empire, is seen from the scale of repressive acts against the dissidents. It is estimated that Ukrainians comprise 60-70 percent of all political prisoners in Mordovia."

The 25th Anniversary Convention of the Organization for the Defense of Four Freedoms for the Ukraine, Inc., was held at the Commodore Hotel in New York City this

past weekend, November 27 and 28, 1971. The four freedoms they seek, freedom of speech, freedom of conscience, freedom from fear and freedom from want, are vital to the preservation of peace, justice and security throughout the world. According to John Wynnyk, president of the ODEFFU, his movement and similar Ukrainian organizations of this nature constitute a powerful Ukrainian Liberation Front dedicated to the restoration of freedom and national statehood to the Ukraine and to all captive nations. Perhaps, the attainment of this dream seems nearly impossible in our eyes. How will it be possible for the captive Ukrainian people to regain their rightful freedom and their national independence? Can our words of support and encouragement have any real effect on this situation? On September 29, 1966, Ivan Dzyuba publicly addressed his people with the following words:

"There are events, tragedies, the enormity of which make all words futile and of which silence tells incomparably more—the awesome silence of thousands of people. Perhaps we, too, should keep silent and only meditate. But silence says a lot when everything that could have been said has already been said. If there is still much to say, or if nothing has yet been said, then silence becomes a partner to falsehood and enslavement. We must, therefore, speak and continue to speak whenever we can, taking advantage of all opportunities, for they come so infrequently."

Mr. PATTEN. Mr. Speaker, this past Saturday, January 22, marked the 54th anniversary of independence for the Ukraine. For many years I have gathered here with my colleagues to mark this occasion. We have not done so, however, in the usual fashion of sending greetings and best wishes to the Ukrainian Government. The free and independent Ukraine was overrun by the Russians shortly after establishing itself as a nation in 1918. Since then the Soviet Union had tried every means possible to destroy the Ukraine by trying to wipe out its language, its culture, and its people.

So on these occasions we have tried to send to the Ukrainian people a message of hope. We have not forgotten them. Their descendants in our various districts know this. We have continually urged our Government to convey to other countries the wrong that has been done to the Ukraine.

Now this spring our President is going to make an official visit to the Soviet Union. During his discussions with the Soviet leaders, I hope that he will seize upon the opportunity to speak for the Ukraine.

Mr. Speaker, we are not talking about a small handful of individuals. There are 47 million people in the Ukraine, and they must live each day under Soviet oppression. We have legislation in the Congress to aid the Ukrainians in their struggle for freedom. I am hopeful that we will soon see action on these measures.

I am happy to have this opportunity today to join my colleagues. Ukrainians everywhere can rest assured of my continued support for their fight to be free.

Mr. ROBISON of New York. Mr. Speaker, during today's special prayer for the Ukraine, I shared with my colleagues in Congress the mixed emotions which must accompany any consideration of the plight of the Ukrainian National Republic. The proclamation of independence of the Ukrainian National Republic 54 years ago was an uplifting event—a moment when a country and

its people could share in the movement for national independence and autonomy that was occurring throughout Europe. Yet, as the history of the past 50 years has so frequently displayed, the desire of a people to be free and to build its own future is of little concern to those who wish to build ideological empires.

Despite the sadness of those days which followed the Ukrainian proclamation of independence, as the world watched the repression of a free and proud people, we must be thankful for the energetic spirit of freedom and the priceless cultural heritage which citizens of Ukrainian descent brought to our country. The observance of Ukrainian Independence Day is, then, both a remembrance of the valor of the Ukrainian National Republic and a day of gratitude and appreciation for the contributions of Americans of Ukrainian descent.

Mr. MINISH. Mr. Speaker, I am proud to take part today in the House observance of the 54th anniversary of Ukrainian independence.

On January 22, 1918, the Ukrainian National Republic was proclaimed a free and sovereign nation. Thousands of Ukrainians gathered in Kiev's St. Sophia Square as the act of union was read:

From today on, there shall be united in one great Ukraine the long separated parts of Ukraine-Galicia, Bukovina, Hungarian and Dnieper Ukraine. The eternal dreams, for which the finest sons of Ukraine lived and died, have been fulfilled. From today on the Ukrainian people, freed by the mighty upsurge of their own strength, have the opportunity to unite all the endeavors of their sons for the creation of an indivisible, independent Ukrainian State for the good and the welfare of the working people.

Unfortunately, the freedom of Ukraine was short lived. Just 3 years later, the brave Ukrainian people saw their new nation brutally crushed by the totalitarian forces of the Soviet Union. For the past 54 years, the Communist regime in Russia has tried to force the assimilation of Ukrainians and to destroy their culture and tradition.

Today, Ukrainians in the mother country and throughout the world still long for a return to freedom and democracy. We must all hope and pray that their day of liberation will not be delayed much longer.

Mr. BYRNE of Pennsylvania. Mr. Speaker, I join my colleagues today in marking the 54th anniversary of the short-lived Ukrainian Republic—and I must repeat the hope and prayer that some day this nation will again be free.

I would hope that when the President journeys to Moscow the question of Ukrainian independence will be on his agenda. I would hope so, but I am not assured. Unfortunately, there has been little leadership from the administration toward freeing the Captive Nations of Eastern Europe; too few nations directly concerned seem interested in the fact that hundreds of millions of people remain under the Soviet yoke, unable to practice their national religion and mores.

Ukraine is a prime example of these in captivity; indeed, it is the largest of the Captive Nations. More than 47 million people live there without liberty and

without freedom of choice under their Soviet masters.

It is rare that I find myself in agreement with the Soviet Union, but I find myself in this position when the Soviets speak against colonization. But I also ask myself, "When are the Soviets going to begin practicing what they preach?" When are they going to grant liberty to the Captive Nations? When are they going to allow freedom of choice and freedom of speech, and stop imprisoning anyone who dares speak out against their tyranny?

To me, Mr. Speaker, no man anywhere is free as long as others are enslaved. I consider freedom as important in Eastern Europe as I do in Africa and Asia.

I hope we can make a free Ukraine part of our goals.

Mr. BIAGGI. Mr. Speaker, I am proud to join with my colleagues and the many thousands of Americans throughout this land in commemorating the 54th anniversary of the independence of the Ukraine.

On January 22, 1918, in the old Ukrainian city of Kiev, the Ukrainian people, after a long and bitter struggle, were able to realize their cherished dream—freedom.

Not only were these people able to successfully declare their country a republic, but exactly 1 year later in the proclamation of the act of union, it was declared that all Ukrainian lands were united into one sovereign Ukrainian Republic.

Before the Ukrainian Government had any chance to bring some order out of the existing chaos, the country was attacked by the Red army and overrun in early 1920. The Ukrainian National Republic was brutally extinguished and the country was absorbed into the Soviet Union.

The Ukraine while under the yoke of Soviet communism was forcibly integrated into the Soviet Union. This act on the part of the Communists was calculated to reduce the Ukrainians to total submission, but to this day the Ukrainians have never, and will never submit to Soviet force.

What the Soviets are ultimately seeking in their nationality policy is a fusion of all nationalities on a basis that would deny any separate national feeling and replace this feeling with a larger sense of loyalty to the Socialist fatherland, that is, the U.S.S.R.

But these courageous people refuse to submit to the ruling powers in Moscow.

Prof. Yaroslav Bilinsky, an American specialist in Soviet studies, came to the following conclusions concerning the durability of Ukrainian nationalism:

Despite terror, population exchange, and ethnic inter-marriage; despite the difference between East and West Ukraine and the gulf between the political elite and the common people, the Ukrainians show a rather strong cohesiveness. A degree of national consciousness shared by the people as a whole, however latent, has forced the regime to manipulate Ukrainian national symbols instead of suppressing them altogether. This, for all the distortions, may keep Ukrainian national sentiment alive, even in the absence of alternative channels of communication. The people do not consider open resistance possible, but wittingly or unwittingly prepare themselves for a struggle by occupying strategic positions in the administrative apparatus.

I sincerely hope that their efforts are successful and that in the near future we will be celebrating a second and this time everlasting independence of the Ukrainian peoples.

For we know as surely as the Soviets know it is not a question of "if," but a question of "when" independence will be regained for the Ukrainian peoples.

Mr. COUGHLIN. Mr. Speaker, January 22, 1918, marked the first day of a short-lived independence of the Ukrainian National Republic. This independence came after a long fight and a well-deserved victory which was proclaimed at the end of the first World War.

For years, the Ukrainian people were suppressed by czarist rule in Russia. During the Revolution of 1917, the Russian czar was finally, overthrown, thus giving the Ukrainians their opportunity to act. After they proclaimed themselves a "free and sovereign" Ukrainian Republic, the Ukrainian patriots realized that, although they lived in a state of freedom, their weak, ravaged country was still vulnerable to the new Communist government.

In spite of all efforts extended by the Ukrainian Government to salvage and reorganize the "new born" country, the republic was not strong enough to defend itself against threatening nations.

The Ukrainians fought a brutal, devastating war in order to save themselves. In 1920, the Communist Government ripped the cherished freedom away from the young Ukrainian National Republic. The country became subservient to Communist rule.

The people were slaughtered, deprived of all outside aid and were alienated from the rest of the world, an existence that was a nightmare for all Ukrainians. Determined to prove their desire to live, although no longer as a free republic, the Ukrainians survived the inhumane treatment of the Red Government.

Today, Ukraine is a member republic of the Soviet Union. While the republic technically has its own government, its operating energy comes directly and solely from the Communist Party of the U.S.S.R. The republic is completely dependent on Red aid for existence, as Ukraine has no economic or foreign policy, nor does it have its own army.

The people of Ukraine still have a strong hope that some day they will once again experience the feeling of freedom. They revere and cherish their traditions and proud heritage.

Remembering that the Thirteen Colonies were once striving for the same independence from England and ever reminded what a great nation we have become as a result of persistent belief in a future of freedom, I join with many officials and citizens to acknowledge the 54th anniversary of the Ukrainian National Republic.

I know that all freedom-loving peoples recognize the desire of Ukrainians, many of whom have immigrated to the United States, to live in liberty and peace as an independent republic in the truest sense of the word.

Mr. ZABLOCKI. Mr. Speaker, I am happy to join with my distinguished and esteemed colleague from Pennsylvania, the Honorable DANIEL J. FLOOD, in com-

memorating the 54th anniversary of the independence of Ukraine.

Unfortunately, this independence was short lived. In 1920, only 2 years after Ukraine's independence, the Soviet Government had embarked on a policy of imperio-colonialism absorbing this newly independent country and reducing it to a constituent state of the U.S.S.R.

This flagrant denial of the right to self-determination shocked the world. Although more than a half century has passed, the memory of this tragic subjugation of a sovereign state still causes sorrow and indignation in the minds of all freedom-loving peoples, especially the loyal sons of the Ukraine.

Unfortunately, the Soviet policy of imperial colonialism did not end with the fall of the Ukraine. The presence of Soviet tanks in Hungary during 1956 and more recently the invasion of Czechoslovakia in 1968 should impress upon us the realization of the many basic differences which democratic governments have with the Soviet Government. The fact that the Soviet Union is still unwilling and incapable to grant the basic personal freedoms is dramatically evidenced by the current demands of its writers and artists for the basic academic freedoms.

It is understandably discouraging for the loyal sons of the Ukraine to see the Soviet Union continue the totalitarian control of its subject peoples. But, they, like us, must hold firm in their courage and not let loose of their vision of a homeland independent and free to chart its own national course. On our part, we must assure the Ukrainian people that our real concern is for the people of the Ukraine, for their welfare and their individual freedom and progress.

It was this belief upon which the Johnson administration operated. This was the basis for its policy of "building bridges" to the people of Eastern Europe and the Soviet Union. It is the same belief, I believe, that has encouraged the current administration to continue this policy.

This policy recognizes the principle, Mr. Speaker, that we can truly assist these people by showing them that the world does present successful alternatives to the bleak existence which has been forced upon them. Since I firmly believe that this is a much more constructive foreign policy than that which totally isolates nations and is continually belligerent in attitude, I have supported President Nixon's upcoming trip to the U.S.S.R. and mainland China.

The principle of individual respect and dignity as exemplified in our country represents a real sign of hope to the oppressed people of the Ukraine.

To further this principle, we must nurture the channels of dialog which we have already opened, and we must continually work to develop new ones. That is, Mr. Speaker, why I have introduced House Joint Resolution 994, which calls for the establishment of direct diplomatic relations with the Government of the Ukrainian Soviet Socialist Republic. It is necessary to further our understanding of and relations with all aspiring peoples and nations which includes the 45 million Ukrainian nation.

As members of a free and open society, it is our responsibility to continue our efforts to develop and expand our points of contact with the oppressed Ukrainian people.

Our goal is more freedom for the people of the Ukraine as well as for other oppressed peoples of Eastern Europe. This is the very purpose to which the 54th anniversary of the independence of Ukraine must be dedicated.

Mr. O'HARA. Mr. Speaker, today in the House of Representatives, the Members are making special note of the fact that this week marks the 54th anniversary of the independence of Ukraine from czarist rule. Ukraine today finds itself the largest non-Russian nation in the Union of Soviet Socialist Republics. Yet, the people of this brave land, both the captives behind the Iron Curtain and their brothers and sisters in this country, strongly maintain their faith that someday their homeland will again be swept by the winds of freedom.

On January 23, I had the honor of addressing the Ukrainian Congress of America's Ukrainian Independence Day celebration in Warren, Mich. It was a great privilege to join with these courageous people in their celebration of their heritage.

I include my remarks at this point in the RECORD:

REMARKS AT UKRAINIAN INDEPENDENCE DAY CELEBRATION

I am honored that you have invited me to participate in this, your fifty-fourth annual observance of Ukrainian Independence.

I salute you for the fierce flame of national pride which still burns within you.

I honor you for your faith that, one day, Ukrainians will again be free—and breathe the air of freedom that you breathe here in your adopted land.

It is particularly fitting for me to be here with you today—for I have only just returned from behind the Iron Curtain, myself.

Little more than two weeks ago, I was traveling across some of that enormous land mass which comprises the Soviet Union—the land mass made up, not only of Russia itself, but also of the nations it holds in captivity.

I was not privileged to visit Ukraine—the land of your fathers.

But I did have the opportunity to see parts of the Soviet Union on both the European and the Asian continents.

Let me share with you some of my observations:

I had hoped to be able to talk with the people of the Soviet Union—because the best way to understand a nation is to understand its people. But I found it difficult to do so.

The Soviet authorities took great pains to keep their own people at arm's length from us.

The Soviet authorities discourage their own people from contacts with visitors—particularly visitors from the Free World.

By their actions, the Soviet authorities demonstrated that all of the peoples of the USSR are every bit as much a captive people as are the Ukrainians.

Yet, even from a distance, I was able to reach certain conclusions:

That these are a hard-working people.

An industrious people.

People who really are not very different from you and me.

I found a people proud of their achievements.

A people just as proud of their own heritage as you are proud of your Ukrainian ancestry—and as I am of my Irish descent.

I found a people who raise their children with a respect for the sanctity of the family.

With a respect for social institutions.
 With a respect for their fellow man.
 With a respect for God, however they might
 conceive Him to be.

I think I would have found a people proud
 of their past.

Dedicated to improving the present.
 Concerned about the future.
 People—as I said—very much like you and
 me.

And yet the Soviet authorities would not
 permit the kind of exchange—the kind of
 free and open discussion—that would have
 emphasized our similarities.

That would have narrowed the areas in
 which we might disagree.

I'm sure the Soviet authorities couldn't
 have cared less about what I discovered about
 the Soviet people.

I think they were afraid of what *their*
 people would have learned.

Afraid that the people of the Soviet Union
 would have discovered that we Americans do
 not have horns or a tail.

That we are just as anxious to live in har-
 mony with the rest of the world as the Soviet
 people, themselves.

It's no surprise to me that the people of
 the USSR and the people of the United
 States are very much alike.

But it might have come as a shock to the
 average Soviet citizen.

So the differences that exist between the
 Soviet Union and the United States are not
 differences among people—they are differ-
 ences between the systems of government
 under which people live.

It's important that all Americans recognize
 the distinction between the people of the
 Soviet Union—and the government.

Ukrainian citizens of the United States
 understand this distinction.

So do your brothers and sisters—in the
 land of your ancestry.

I have great respect for the people in your
 homeland—and particularly for the young
 intellectuals—who have boldly confronted
 the Soviet system and challenged a totali-
 tarian system.

It took a special kind of courage to do
 what many of you did in the early days of
 Ukraine's struggle to resist Soviet tyranny.

It takes just as much courage for the peo-
 ple in Ukraine to challenge the system to-
 day—and, more importantly, to challenge it
 in the context of existing institutions.

To challenge the Soviets in the courts—
 instead of in the streets.

I know you are proud of them—and you
 should be.

I know you are proud of your Ukrainian
 ancestry—and you should be.

I share the view of the late President Ken-
 nedy, who said that people who retain their
 ties to the land of their fathers are, in the
 last analysis, better Americans because of
 it.

You have kept your Ukrainian culture—
 and by so doing you enrich the culture of
 the United States.

You have kept the Ukrainian devotion to
 the rights of all human beings—and by so
 doing you add a needed dimension to the
 continuing struggle for human rights in
 America.

Most of all, you have kept the Ukrainian's
 underlying belief in the freedom of man-
 kind—and that faith is necessary if we hope
 to keep alive the American traditions of
 freedom.

In short, because of your heritage—and
 because of your pride in that heritage—you
 are better citizens of the United States, and
 better citizens of the world.

For half a century, Ukraine has existed in
 a dark night of oppression.

I join you in the prayer that the time
 may not be far off when the day of freedom
 will dawn again for your brothers and sis-
 ters in your beloved homeland.

Mr. BROOMFIELD. Mr. Speaker, the
 quest for freedom has driven men to en-
 dure the greatest hardships, to risk all

against fantastic odds, even to lay down
 their lives. For those enslaved in oppres-
 sion, who have been denied their God-
 given rights, the desire for freedom
 burns deep, always ready to erupt.

Mr. Speaker, nothing short of com-
 plete freedom will extinguish that flame.
 There is no better proof of that than the
 brave, silent endurance of the Ukrainian
 people. This country, 47 million strong,
 has kept the torch of freedom alive for
 some 54 years since their homeland was
 brutally overrun by a foreign aggressor.

This week, we pause to remember that
 short-lived but rewarding moment in
 history, 54 years ago, when the Ukraine
 declared its independence. It was fitting
 that at the twilight of the First World
 War, the war to end all wars, which was
 dedicated to the concept of self-deter-
 mination, that the Ukrainian people
 should finally rise to overturn the
 tyranny which had gripped their nation.

However, on that day in January in
 1918, the Republic of Ukraine faced a
 monumental task. The fledgling Republic
 had suffered the ravages of war, her
 economy was in shambles, and her fertile
 farmlands were a wasteland. The
 Ukraine was in dire need of help and
 there was no one to extend it.

It was under these circumstances,
 then, that the Bolsheviks in 1920 entered
 the Ukraine to snuff out any semblance
 of democracy. And, so it remains today.
 The Ukraine has been absorbed into the
 Soviet Socialist Republic; it is a nation
 in name only, it is only as free as the
 determination and resolve of its people
 to persevere in the face of tyranny.

While they were robbed of their basic
 rights and denied the privilege of self-
 determination, the Ukrainian people still
 have the memories of that day 54 years
 ago when freedom crystallized into real-
 ity. It is this memory, a brief moment
 when their nation lived, which prevents
 them from ever knuckling under to the
 forces of dictatorship. Communism may
 have absorbed this country and others
 of Eastern Europe, but it will never as-
 similate them.

Therefore, Mr. Speaker, it is appro-
 priate that we of the United States
 should join with Ukrainians from all over
 the world in commemorating the an-
 niversary of their independence. For
 there was a time, a time not long ago if
 measured by the length of history, that
 our country struggled for its own inde-
 pendence. Let us serve notice to the
 Ukraine, as well as all the nations of the
 world who yearn for freedom, that their
 struggle is not in vain nor without hope.

Mr. KEMP. Mr. Speaker, it is an honor
 to join my colleagues in observing the
 54th anniversary of the independence of
 the Ukrainian Republic and to pay trib-
 ute to the gallant Ukrainian people.

There are thousands of persons in my
 district in New York State who were
 either born in the Ukraine or are Ameri-
 cans of Ukrainian heritage. These free-
 dom-loving individuals have made nu-
 merous important contributions to
 western New York and I am proud that
 they have chosen to reside in our area.

On January 22, 1918, the Ukrainians
 united to form an independent state.
 This newly won independence was cut
 short by the ruthless invasion of the Red

army in the spring of 1920 and in 1923
 the Ukraine became an unwilling captive
 of the Soviet Union. Today the
 Ukrainians constitute the largest non-
 Russian population both in the Soviet
 Union and in Eastern Europe—approx-
 imately 45 million people.

The freedom gained by the Ukrainian
 Republic was short lived, but countless
 Ukrainian Americans commemorate this
 anniversary as an expression of their
 faith that freedom will one day be re-
 stored to the land of their forefathers.
 As the Ukrainian Congress Committee
 of America has stated:

Although the true Ukrainian state has
 been destroyed, the Ukrainian National
 Revolution lives on in the hearts and minds
 of the Ukrainian people.

Taras Shevchenko was the poet lau-
 reate of the Ukraine and became the
 symbol of Ukrainian nationalism. In his
 poem, "The Legacy," he expressed the
 unconquerable spirit of independence
 which is so much a part of the character
 of this brave people:

When I shall die, pray let my bones
 High on a mound remain
 Amid the steppeland's vast expanse
 In my beloved Ukraine:
 That I may gaze on mighty fields,
 On Dnieper and his shore,
 And echoed by his craggy banks
 May hear the Great One roar.
 When from Ukraine that stream shall bear
 Over the sea's blue sills
 Our Foemen's blood, at last shall I
 Forsake the fields and hills
 And soar up to commune with God
 In his eternal hall.
 But till that Day of Liberty—
 I know no God at all.

Dr. Lev E. Dobriansky and the
 Ukrainian Congress Committee are to
 be highly commended for bringing to the
 attention of the American people the
 plight of the more than 45 million
 Ukrainians held captive by Communist
 imperialism. It is difficult for those of us
 who have always lived in freedom to
 imagine its loss. We should use our
 precious heritage of liberty to continue
 to support in every way possible the
 Ukrainian people's struggle for freedom
 and self-determination.

Mr. DON H. CLAUSEN. Mr. Speaker,
 it is, indeed, proper that we in America
 and in the U.S. Congress take this time to
 pay tribute to and observe the 54th an-
 niversary of the independence of Ukraine.

However, it is tragically ironic that an
 "Independence Day" must be celebrated
 on foreign soil and that the peoples for
 whom the day should hold the most
 meaning are denied participation because
 independence and freedom are now a
 hope, instead of a reality.

The Ukrainian people fought gallantly
 to win their independence from czarist
 Russia, only to be invaded again by the
 new Bolshevik regime. Since that time,
 Ukrainians have continued to struggle
 against an oppressive, colonial govern-
 ment whose pronounced policy is "cul-
 tural genocide," to preserve their tradi-
 tions and ethnic heritage.

Our observance here today is not only
 a recognition of that plight, but also an
 overt demonstration of our empathy
 with their desire for freedom and our
 condemnation of the hypothetical poli-
 cies that have enslaved their country.

Hopefully, adding our voices to the cry for freedom will help, and then, perhaps, a future Ukraine Independence Day will be celebrated on homeland soil.

Mr. RARICK. Mr. Speaker, it is fitting that this House should pause today to commemorate the 54th anniversary of Ukrainian independence and to remember that this country and its people lie enslaved by the Soviet Union, a captive nation where basic human rights are denied, where men are forbidden to speak freely, where dissent is still punished by prompt arrest and swift imprisonment.

The Ukraine won its independence on January 22, 1918, in a revolution not unlike that which brought America its freedom from the British. Like the Americans, the Ukrainian people sought a free and independent state. Unfortunately, this was not the case as the Bolshevik Revolution, dominated by the Russians, contrary to its high-sounding slogans and objectives was a fraud, and the Communists extended their domination over other non-Russian nations including the Ukraine.

The Ukraine is the largest, most densely populated, and, economically, the most important of the non-Russian nations now held captive and enslaved by the U.S.S.R. What has occurred in the Ukraine, now threatens to take place in all of Indochina. Just last night, the President of the United States virtually offered the people of this area to the Communist powers when he proposed that the Communist Party be included in a new coalition government of South Vietnam; furthermore, he promised the Communists that the United States would rehabilitate Indochina, including rebuilding North Vietnam, with foreign aid financed by U.S. taxpayer dollars, pending, of course, acceptance of his proposals to end the Vietnam war and release American POW's.

It is fitting then to look closely at what has happened in the Ukraine. Certainly this fate, or worse, awaits the people of Indochina as the President continues to press for Communist appeasement.

This country has never demanded coalition government in Communist colonies including democratic parties, or even elections like we force on our free world allies.

The incidents of the week prior to Ukrainian Independence Day are certainly indicative of the situation in that captive nation. Newspapers of January 14 and 15 carried stories dealing with the sudden arrest of 13 Ukrainian intellectuals for "deliberately false fabrications defaming the Soviet State."

These articles indicate the true nature of life under communism—repression, fear, terror. The true facts stand out starkly in contrast to the public "face" of the Soviet Union, a mask that hides Communist brutality behind what appears to be a mellowing attitude toward the West and a constant cry of peace. The Soviet Bear is still vicious and self-possessing. It has never granted self-determination to any of its colonies.

I urge the Members of this House to take stock of the world situation and recognize the true meaning of life under communism and take the necessary action to call the attention of the world to

the atrocities committed by the Soviets and their allies to maintain and further the cause of world Communist domination.

I include certain related articles dealing with repression in the Ukraine following my remarks, along with a copy of my bill calling on the President to take such steps as may be necessary to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the United Nations Organization:

[From the New York Times, Jan. 15, 1972]

SOVIET ARREST OF 11 IN UKRAINE REPORTED FOR ANTI-STATE ACTS

MOSCOW, January 14.—The Soviet secret police have arrested 11 Ukrainians apparently on suspicion of nationalist activity, reliable sources said today.

All were held under an article of the Ukrainian criminal code that prohibits dissemination of "deliberately false fabrications defaming the Soviet state," the sources said. The article carries a maximum sentence of three years' imprisonment.

Four of the persons were arrested Thursday in Kiev, the Ukrainian capital, the sources said. Among them, they added, was Ivan Svitlichny, a literary critic.

A Ukrainian underground publication, *Ukrainsky Visny* (Ukrainian Herald), says that Mr. Svitlichny is one of several intellectuals whom the security police have tried to discredit.

The sources said that the seven other arrests were made Wednesday in Lvov, the main city in the western Ukraine and generally considered one of the strongest centers of Ukrainian nationalism.

The seven arrested were reported to have included a former television journalist, Vyacheslav Chornovil. Mr. Chornovil, in his early 30's, was sentenced in November, 1967, to 18 months in a labor camp for compiling an underground account of secret police methods used in rounding up about 100 Ukrainian intellectuals in 1965 and 1966.

About 20 of those arrested then were eventually tried in secret in 1966 on charges of anti-Soviet agitation and propaganda.

They were sentenced to labor-camp terms ranging from six months to six years.

[From the Sun, Jan. 15, 1972]

CHORNOVIL, SVITLICHNY AND 11 OTHER UKRAINIAN INTELLECTUALS ARRESTED—UKRAINIAN DISSIDENTS REPORTED HELD

MOSCOW.—In a sweeping action against Ukrainian "nationalists," Soviet secret police have arrested 11 leading dissident intellectuals in the Ukraine, reliable sources said yesterday.

Among those held by police is Vyacheslav Chornovil, author of the "Chornovil Papers," an account of the trial and prison camp experiences of 20 Ukrainian intellectuals convicted in 1966 for nationalist agitation.

After the account was written, Mr. Chornovil was sent to prison in 1967 for three years. It was published later in the west.

ARRESTED IN LVOV

He was one of seven persons arrested Wednesday in Lvov, a city in the Western Ukraine where nationalist feeling against Russians is reported to be especially strong.

Four people were taken into custody in the Ukrainian Republic capital, Kiev, Thursday. They include Ivan Svitlichny, a former literary critic who has been particularly active in the nationalist movement.

The sources said the arrests were preceded by a series of raids by Soviet secret police on the homes of intellectuals in Kiev and Lvov.

Those held are all charged with dissemination of "deliberately false fabrications defaming the Soviet state." Conviction on the charge carries a maximum three-year sentence.

Despite the round-up of dissidents that led to the 1966 trials, the Ukraine has continued to be a source of trouble for Moscow. Like the dissidents centered in Moscow, the Ukrainians have their own underground newspaper, the *Ukrainian Herald*, to chronicle their battles with the authorities.

Some of them, disturbed by what they consider to be the Russification of the Ukraine, have called for secession from the Soviet Union—a right technically guaranteed in the Constitution.

In the most famous recent case, Valentin Moroy, a teacher, was sentenced in 1970 to nine years in prison and five years in exile on a charge of anti-Soviet agitation.

Mr. Chornovil was called as a witness at that trial, but refused to testify on the grounds that it was being held secretly, in violation of Soviet law.

H. CON. RES. 64

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President, acting through the United States Ambassador to the United Nations Organization, take such steps as may be necessary to place the question of human rights violations in the Soviet-occupied Ukraine on the agenda of the United Nations Organization.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the subject of my special order.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's pioneers of progress and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

In 1929 American William Green created the automatic pilot system used in aircraft flight control.

THE NIXON PEACE INITIATIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 10 minutes.

Mr. ROBISON of New York. Mr. Speaker, probably never, at one time and place, have there been so many "Sunday-morning quarterback" as here in Washington last night, and again this morning. Hardly had President Nixon ended his convincing presentation before the American people last night when critics—many of whom are now running for his job—mounted a contrasting barrage of pessimism, doubt, and gloom about the new peace proposal. In my opinion, such criticism is, at best, premature; and at worst, an example of abject politicking at a time when we should be encouraging the President in his renewed efforts to find a way to end this war.

For my part, I find the Nixon proposal both constructive and encouraging. As a matter of fact, it embodies in large

measure the negotiating position I have been trying to help shepherd the President toward, with both my influence and my votes, over these past 3 years.

I see two possible "sticking points" on which I would like to comment.

First—though he did not emphasize this in his remarks—one of the nine points in the Nixon proposal calls for the Communists to withdraw their forces from the Southeast Asia countries as we withdraw the balance of ours. Although the north has always insisted it had no troops in those countries, it may well prove unwilling to give up the territorial gains it has made therein at such great cost to itself. But there may be a way around this impasse—if one develops. I was in South Vietnam in June of 1970, and drove through large parts of it and also flew over nearly every other portion of it, as well as over portions of Cambodia. In my view, much of the upland and inland areas of South Vietnam—especially near the "DMZ" and along the Cambodian border—are hardly worth anyone fighting over. These areas are also, now, largely those still held by the Communists.

It has been little noticed, but the South Vietnam Government has successfully been carrying out a resettlement program involving its citizens in these same general areas for about a year now. Thus, I think it possible that—if we get to the negotiating stage on this point, and, remember, the President indicated last night he was flexible on the details of his plan as long as the principles were accepted—some of these areas could be ceded to the north, and new boundary lines drawn up. This would enable the north to hold some of its hard-won gains and also save face at the same time. This is an idea at least worth bearing in mind as we await future developments.

The second trouble spot would seem to be that involving the future government in Saigon. All along the North has insisted that we either "dump" Thieu or, alternatively apparently, participate clandestinely in his overthrow. This is an unacceptable proposition. Perhaps Thieu was not reelected in the most democratic manner, but he is the "chosen" head of his nation according to the ground rules then pertaining therein. And his willingness, now, to accept the uncertainty of a new presidential election—and to resign a month before the same is held—is really the one new element in the current initiative toward negotiations. One has to assume he did not come to such an agreement easily. All along he has been telling his people that he would never accept any arrangement heading toward a possible coalition government.

But such would clearly seem to be the North's opportunity, now, if it elects to go this route, with all political elements in South Vietnam voting in such an election, including the indigenous Communists, under some sort of international supervision.

Why would it take this chance?

The critics say it will not, because it has no faith in the democratic process—and no experience with it, either, which may be beside the point.

But this war has cost the North dearly,

too. Its people must be as tired of fighting as are the people in the South and as are we. The alternative would seem to be a long war of attrition against the forces of South Vietnam, Cambodia, and Laos—and, if the American people allow it, continued punishment under U.S. aerial bombardments which, while admittedly not very effective militarily, remain Mr. Nixon's sole, surviving way of keeping military pressure on the North to induce negotiations.

However, even if Hanoi is reluctant to again try to achieve its ambitions through the ballot box, there is the possible chance that either or both China and Russia could now encourage the North to overcome that reluctance. Of course, this is highly speculative but, clearly, President Nixon looks for some help in this regard in both Peking and Moscow.

Perhaps neither Peking nor Moscow has any great, direct political influence in Hanoi. But let us remember that China now provides Hanoi with a large part of its basic food needs, while Russia provides it with almost all of its war materiel. It obviously could not carry on the war for long against the South Vietnam, Cambodian and even the ineffective Laotian forces without such help—and, without such help, could clearly have little hope of eventually winning such a war of attrition.

Why would China help us in this regard?

That is a good question, and I doubt if anyone has any clear idea of the Chinese leaders' intentions or motivations. All we do know is that China, for whatever reason, does seem ready to reach some sort of an accommodation with us—and at a price yet to be determined. So I think we have to accept the fact that this specific possibility will be very much on the Nixon agenda at Peking, and we will have to wait until after that visit to see if such a hope bears fruit.

As for Russia, all along it has supposedly taken no interest in a negotiated settlement of this tragic war because it has served the Russian purpose to have us bogged down in a ground war in Vietnam, and bitterly divided over that war at home. This incentive, if it ever existed, is no longer so strong now. Thanks to Mr. Nixon, our involvement in the ground war is virtually ended and—though Vietnam will probably be an issue in the elections here this fall—much of our division over that war has been narrowed. Thus, again, I think it very much within the realm of possibility that Moscow may now, finally, be willing to use its offices to encourage a political settlement of this long dispute—particularly if it can have a hand, direct or indirect, in trying to assure some form of a coalition government in Saigon.

Thus, all in all, I believe Mr. Nixon has finally gotten us around to a basis upon which this war can really be ended. And I further believe that, despite the sniping of the President's political critics and despite the gloomy forecasts of some commentators, this plan has a clear chance.

Finally, I believe that the vast majority of the American people will support the President in this initiative. I say this because I believe that, all along,

they have generally understood that our mere withdrawal from the conflict would not end this war for anyone but ourselves, and that they have instinctively felt that, after having so mistakenly gotten nearly all of Southeast Asia so deeply involved in this conflict, we owed—even at some additional cost to ourselves—those people our best efforts at truly ending it in the only way it can be ended, which is through a broad, political settlement.

That is what President Nixon is reaching for, and it is what the United States ought to be reaching for—so I, for one, hope and pray that this plan will be supported here at home and thus given every possible chance to succeed abroad.

IMPLEMENTATION OF PRESIDENT'S BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Bow) is recognized for 10 minutes.

Mr. BOW. Mr. Speaker, the implementation of the President's 1973 budget is dependent upon the passage by Congress of authorizing legislation for budget items totaling \$52 billion. This includes \$42 billion in expiring legislation which is proposed for extension and requires renewal, and \$10 billion in new legislation proposed for later transmittal.

At my request, the administration has provided me with the following detailed lists of all budget items which are dependent upon additional authorizing legislation:

Recommended 1973 amounts requiring additional authorizing legislation

(NOTE.—These amounts are recommended in the 1973 Budget, but the Congress does not generally act on these appropriation requests until after enactment of the authorizing legislation.)

[In thousands of dollars]

FUNDS APPROPRIATED TO THE PRESIDENT	
Foreign assistance:	
International security assistance:	
Military assistance.....	780,000
Foreign military credit sales.....	527,000
Economic supporting assistance.....	807,400
International development assistance:	
Multilateral assistance: International organizations and programs.....	175,335
Bilateral assistance:	
Grants and other programs.....	539,358
Development loans.....	634,500
Contingencies.....	100,000
Office of Economic Opportunity: Economic opportunity program.....	757,876
Total, funds appropriated to the President.....	4,321,469

COMMERCE	
Maritime Administration: Salaries and expenses.....	3,900
Total, Commerce.....	3,900

DEFENSE—MILITARY	
Aircraft procurement, Army.....	134,500
Missile procurement, Army.....	1,153,400
Procurement of weapons and tracked combat vehicles, Army.....	259,500
Procurement of aircraft and missiles, Navy.....	3,871,200
Shipbuilding and conversion, Navy.....	3,564,300

Other procurement, Navy.....	219,900	Social and Rehabilitation Services.....	836,243	National Highway Traffic Safety Administration:	
Procurement, Marine Corps.....	85,200			Traffic and highway safety.....	36,900
Aircraft procurement, Air Force.....	2,612,700	Total, Health, Education, and Welfare.....	1,312,005	State and community highway safety.....	33,333
Missile procurement, Air Force.....	1,772,300			Highway trust fund: trust fund share of highway safety programs.....	66,667
Research, development, test and evaluation:		INTERIOR		Total, Transportation.....	2,274,130
Army.....	2,051,100	Water and Power Resources:			
Navy.....	2,710,900	Bureau of Reclamation:		ATOMIC ENERGY COMMISSION	
Air Force.....	3,178,600	Construction and Rehabilitation.....	8,840	Operating expenses.....	2,072,830
Defense agencies.....	507,200	Upper Colorado River storage project.....	38,185	Plant and capital equipment.....	366,860
Emergency fund, Defense.....	50,000	Water Quality and Research:		Total, Atomic Energy Commission.....	2,439,690
Military construction:		Office of Saline Water: Saline water conversion.....	26,871		
Army.....	969,323	Total, Interior.....	73,896	NATIONAL AERONAUTICS AND SPACE ADMINISTRATION	
Navy.....	490,490			Research and development.....	2,600,900
Air Force.....	291,285	LABOR		Construction of facilities.....	77,300
Defense agencies.....	46,400	Manpower Administration:		Research and program management.....	700,800
Army National Guard.....	40,000	Salaries and expenses.....	61,890	Total, National Aeronautics and Space Administration.....	3,379,000
Air National Guard.....	10,600	Manpower training services.....	1,633,336		
Army Reserve.....	38,200	Total, Labor.....	1,695,256	OTHER INDEPENDENT AGENCIES	
Naval Reserve.....	16,000			Action: Total operating expenses.....	184,127
Air Force Reserve.....	7,000	TRANSPORTATION		Arms Control and Disarmament Agency.....	10,000
Family Housing, Defense.....	977,200	Coast Guard:		Commission on Civil Rights.....	4,646
Operation and maintenance, civil defense.....	29,041	Operating expenses.....	297,693	Corporation for Public Broadcasting.....	45,000
Special foreign currency program.....	3,000	Acquisition, construction, and improvements.....	135,660	National Science Foundation.....	653,000
		Reserve training.....	23,529	Small Business Administration.....	475,970
Total, Defense—Military.....	25,089,339	Research, development, test, and evaluation.....	1,348	Total, Other independent agencies.....	1,372,743
		Federal Highway Administration:		Grand total: Budget authority.....	41,961,428
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE		Highway Beautification.....	60,000		
Health Services and Mental Health Administration:		Highway trust fund: Federal-aid highways.....	1,550,000		
Health services delivery.....	19,000	Forest highways.....	33,000		
Preventive health services.....	8,500	Public lands highways.....	16,000		
Office of Education:		Trust fund share of other highway programs.....	20,000		
School assistance in federally affected areas.....	430,910				
Library resources.....	14,000				
Higher education facilities loan and insurance fund: current.....	3,352				

1973 BUDGET, ITEMS PROPOSED FOR LATER TRANSMITTAL UNDER PROPOSED LEGISLATION

[In thousands of dollars]

	1972		1973			1972		1973	
	BA	Out	BA	Out		BA	Out	BA	Out
Executive Office of the President: Council on International Economic Policy.....	1,130	980	1,341	1,316	Department of the Interior:				
Funds appropriated to the President: International financial institutions.....	380,000	10,000	910,000	103,000	Bureau of Land Management:				
Department of Agriculture:					Management of land and resources.....		20,000		10,000
Federal Crop Insurance Corp:					Bureau of Indian Affairs:				
Administrative and operating expenses.....			-1,000	-1,053	Resources management.....		4,000		4,000
FCIC fund.....				1,452	Revolving fund for loans.....	5,000	1,000	5,000	1,000
Farmers Home Administration:					Territorial Affairs: Trust Territory of the Pacific Islands.....	1,000		1,000	1,000
Direct loan account.....		-20,158		3,977	Geological Survey: Surveys, investigations, and research.....			5,000	4,000
Agricultural credit insurance fund.....	-163,094	20,158	-136,503	-593,816	Bureau of Mines: Conservation and development of mineral resources.....			7,000	7,000
Total, Agriculture.....	-163,094		-137,503	-589,440	Total, Interior.....	6,000	1,000	42,000	27,000
Department of Commerce, Maritime Administration: Operating differential subsidies.....	15,000	15,000			Department of State: International Boundary and Water Commission: Construction.....	12,881	503		4,345
Department of Defense:					Department of Transportation: Federal Railroad Administration: Federal grants to the National Railroad Passenger Corp.....	170,000	105,000		65,000
All-volunteer armed force.....			400,000	390,000	Department of the Treasury: General revenue sharing.....	2,500,000	2,250,000	5,300,000	5,000,000
Military retirement systems reform.....			296,000	290,000	Environmental Protection Agency: Operations, research, and facilities.....			35,000	22,000
Total, Defense.....			696,000	680,000	Veterans' Administration:				
Department of Health, Education, and Welfare:					Compensation and pensions.....	25,000	25,000	151,700	151,700
Food and Drug Administration: Food, drug, and product safety.....			38,845	29,743	Readjustment benefits.....	54,100	143,100	163,300	167,300
Health Services and Mental Health Administration: Health services planning and development.....	57,000	9,000	60,000	36,060	Medical care.....			15,945	15,945
Office of Education:					Medical administration and miscellaneous operating expenses.....			155	155
Education revenue sharing.....			223,911	110,000	General operating expenses.....			-1,000	-1,000
Emergency school assistance.....	500,000	80,665	1,000,000	381,000	Grants for construction of State extended care facilities.....			2,700	
Higher education.....	259,500		-288,000	-28,500	Total, VA.....	79,100	168,100	332,800	334,100
National Foundation for Higher Education.....	3,000	1,000	100,000	30,000	Other independent agencies:				
National Institute of Education.....	3,000	2,500	125,000	50,000	Federal payment to the District of Columbia.....	1,000	1,000	22,000	12,000
Social and Rehabilitation Service:					Federal contribution to the Washington Metropolitan Area Transit Authority.....			8,481	8,481
Grants to States for public assistance.....			-859,220	-859,220	Payment to the John F. Kennedy Center for the Performing Arts.....	1,500	1,500	1,500	1,500
Social and rehabilitation services.....			10,000	2,348	Water Resources Council.....			1,000	800
Social Security Administration: Payments to social security trust funds.....	200,000	15,000	1,478,000	4,195,000	Total, other independent.....	2,500	2,500	32,981	22,781
Welfare reform.....			450,000	350,000	Total, items proposed for later transmittal under proposed legislation.....	4,026,017	2,661,248	10,041,155	10,456,473
Total, HEW.....	1,022,050	108,165	2,338,536	4,296,371					
Department of Housing and Urban Development: Urban community development revenue sharing.....			490,000	490,000					

We are all aware of the considerable delays in the passage of authorizing legislation during the last session, in both the House and in the other body, which impeded timely consideration of several appropriations bills by the House and constituted the major cause of the late adjournment of the congressional session last December. I believe it is essential that Congress take action on this necessary authorizing legislation much earlier than last year so that this session of Congress can achieve an early adjournment.

I support the suggestion of the Speaker and the minority leader that a midyear deadline be set for the passage of all budget authorizing legislation. I have suggested to the House Rules Committee that a new rule be adopted in 1973 which would waive all points of order against appropriations bills based on lack of authorization after this deadline has passed. The Appropriations Committee would thus be allowed to proceed with its work regardless of delays caused by the legislative committees or by the other body, and one important roadblock to an early adjournment would be eliminated.

Improvement of our procedures for reviewing the budget is also imperative for other significant reasons. We must put an end to the practice of approving many of our most important appropriations bills 6 months or more after the start of the fiscal year they are supposed to cover. We must eliminate the necessity for a succession of stopgap continuing resolutions which admit the inability of Congress to act on a timely basis.

Delays in the passage of the appropriations bills have once again forced the executive branch to formulate budget proposals for the year ahead without knowing what the Congress would provide in its action on the prior year's budget. And this is now the second year in succession that the President has submitted his budget message to Congress with action still pending on one prior year appropriation bill. It is essential to the orderly fiscal management of the Federal Government that Congress put its house in order.

PUBLIC SERVICE EMPLOYMENT FOR VIETNAM ERA VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I rise in support of H.R. 9104, to amend title 38 of the United States Code to provide public service employment for Vietnam era veterans.

This body was quick to support a provision in the recently enacted Emergency Employment Act, which required that an application for financial assistance for a public service employment program include provisions setting forth such assurances as the following:

First, special consideration in filling public service jobs must be given to unemployed and underemployed persons who served in the Armed Forces in Indochina or Korea on or after August 5, 1964;

Second, the applicant shall make a

special effort to acquaint such individuals with the program and coordinate efforts on their behalf with requirements relating to job counseling and employment services for veterans authorized by chapter 41 of title 38 of the United States Code, or with such efforts carried out by other public or private organizations or agencies.

I believe that these assurances required by the Emergency Employment Act made a good beginning toward solving the problem of the outrageously high rates of unemployment among the men who have represented us on the battlefields. To carry out these provisions, the administrative regulations provide that the Employment Service first refer "special veterans" for these public service employment jobs—a special veteran is one who served in the Armed Forces in Indochina or Korea, including the waters adjacent thereto, on or after August 5, 1964, and who received other than a dishonorable discharge—and second, refer other veterans of the Vietnam era; and that a list of such job openings be made available to any other public or private organizations or agencies including veterans organizations.

No requirements are made, and no special incentives are given, to assure that actual preference in choosing participants be given to veterans. Rather, the regulations merely state that each program agent shall be responsible for assuring that preference for selecting participants under the Emergency Employment Act be given to unemployed from groups included on a list of eight separate categories.

On this list are included, besides special veterans, such all-encompassing categories as young persons 18 years of age or older who are entering the labor force, individuals 45 years of age or older, persons who have become unemployed or underemployed as a result of technological change, and others who come from socioeconomic backgrounds generally associated with substantial unemployment and underemployment. Nevertheless, it appears as if the goal of filling one-third of all public service jobs with veterans is being met and even exceeded.

I believe, however, that the mountain of problems facing the newly discharged veteran returning to civilian life and the mainstream of the economic world merits even greater attention being paid to helping these young men find jobs. And in view of the fact that the usual problems faced by newly discharged servicemen have, as a result of the economic slowdown, been intensified during the past year, to the extent that the unemployment rate for veterans age 20 to 29 increased from 6.4 percent in the third quarter of 1970 to 8.3 percent in the third quarter of 1971, I think that much more comprehensive legislation is drastically needed. For during those same periods, the unemployment rate for non-veterans in that age group was 6.2 and 6.9, respectively. But these figures do not accurately reflect the whole picture. For the younger veterans, age 20 to 24, the unemployment rate is greater by almost a full percent, and for minority veterans the unemployment rate is almost double these percentages. Altogether, approxi-

mately 320,000 of our veterans are currently unemployed.

These statistics clearly point to the employment crisis among our exsoldiers. These young men have sacrificed much, both physically and emotionally, for this great Nation. At the same time, they have given up precious years that are normally crucial in the process of career development.

Now it is time for this Nation to do something for these brave men in return; and it is plainly obvious that the Emergency Employment Act, while moving in the right direction, has not gone far enough. Therefore, I urge unanimous support for quick passage of H.R. 9104, which would amend title 38 of the United States Code to specifically provide public service employment for Vietnam era veterans.

This bill would authorize \$100 million for the 1972 fiscal year and \$500 million for the 1973 fiscal year, to be released through a trigger mechanism tied to the unemployment rate.

Accordingly, \$75 million would be released when the seasonally adjusted rate of unemployment among Vietnam era veterans equals or exceeds 3 percent for three consecutive months; and \$10 million for each increment of one-half of 1 percent in the average rate of unemployment sustained for 3 consecutive months.

Such funds shall be available to eligible applicants who shall be States, cities, counties and other units of general local government; Indian tribes; and public and private nonprofit agencies and institutions. They shall be apportioned on an equitable basis among States and within each State among local areas, to the extent practicable, in proportion to unemployment in each such area.

This bill also provides that in addition to employment in public service jobs, participants may receive training and manpower services to boost their long-range employability.

Mr. Speaker, I urge immediate passage of this public service employment bill for Vietnam era veterans. For its enactment would be the very least we could do to show the 5½ million veterans of the tragic Vietnam era how much we as Congressmen appreciate their service to our country and their efforts to keep this Nation strong.

BUDGET, STATE OF THE UNION, AND ECONOMIC DISARRAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 15 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, it is no secret that the economic problems facing this country rank today as probably the No. 1 preoccupation of the citizens of this land—certainly the No. 1 domestic preoccupation. The news during the recess, in my opinion, while each of us was back home in his district furnished us with further evidence of two more aspects of this phenomenon: The bad news got worse and we were able to measure the reaction of our constituents firsthand to this news. In other words, we

now know firsthand that what the polls have been saying for some time is true. The Nation is concerned about the State and well-being of its economy. In all my years in Congress, I cannot remember when more people saw me during my visits around the district with one thing uppermost on their minds: Either they were out of work and looking for work or they were worried about just how long their present job would last. So it is not surprising to me to read that the unemployment statistics seem to be locked in at a national rate in excess of 6 percent. And I know my own State's average this past year has been higher. No one giving a year-end review of the State of the Nation in the past few weeks could fail but notice this. In New England, unemployment totals were higher in 1971 than they were in 1970. As a matter of fact, unemployment in the manufacturing sector of the economy today stands at the highest level since 1947 when the Bureau of Labor Statistics first started compiling such figures. On December 27 the Department of Commerce released figures to confirm what everyone had been expecting for some time, that it was virtually impossible that this Nation would not wind up with its first trading deficit in 100 years. As a matter of fact, the trading deficit for the first 11 months of 1971 stood at \$1.7 billion. Whatever good news might be contained in the December trade figures when they are released, it is clear they cannot completely reverse or wipe out this staggering deficit. A few weeks before the Commerce Department also had the unpleasant task of announcing that the balance-of-payments deficit for the third quarter stood at the incredible figure of \$12.1 billion in the red. While the Secretary of Treasury officially continues to maintain a stiff upper lip in the face of such an overwhelming convergence of dismal statistics, it is clear that even an inveterate optimist has reason to be concerned about just how long even the world's most prosperous economy can withstand such bad news. As a matter of fact, the third quarter deficit exceeded what was the full year record deficit of \$9.82 billion scored in 1970. It is time we stopped kidding ourselves and taking false comfort in official excuses about temporary aberrations and statistical flukes to explain away these figures. As if we needed anything to confirm this trend of disastrous balance of trade figures, disastrous balance-of-payment figures, and depressing unemployment figures, we have only to look at what they are predicting the budget deficit for fiscal year 1972 will be. Current estimates are that it may well reach \$40 billion. This on the heels of a record \$23 billion for 1971. Already the Treasury Department has announced its plans to petition the Ways and Means Committee for a further increase in the debt ceiling of the Nation from the \$430 billion "temporary" ceiling to another "temporary" ceiling higher up in the stratosphere of deficit spending. So much for the self-fulfilling budget which was announced with such fanfare a year ago. If you will remember then, the administration argued that it was a new concept in budget-making, a budget that was literally going to spend

itself into balance within 12 months. Yet, because of the poor performance of the economy, the sluggish increase in the gross national product's rate of growth of no more than 2½ percent, the continued avalanche of foreign imports, our total income—the very foundation of Treasury's revenue—failed to reach expected heights.

But what are we treated to with the new budget? A repeat performance. If last year's budget, which was supposed to result in an \$11 billion plus deficit is resulting in a \$38 billion deficit, what are we to expect from one designed to result in a \$25.5 billion deficit? Perhaps our concern might be offset somewhat if the budget's priorities were directed to where the needs are greatest. But again we see little redirection and more of the same. Whatever else might be said of this budget, it is hardly innovative.

While we are on the subject of dismal news, which seems to have come to a head during the past 4 weeks, who can fail to mention the fact that the U.S. dollar is going to have to be devalued and because our position, vis-a-vis, other economies in the world, is so weak, apparently there is going to be a delay in coming to Congress for authorization for the devaluation until our negotiators can get some convincing concessions from our foreign trading partners. In other words, so weakened has our bargaining position become, because of economic problems at home and abroad, a major concession such as the devaluation of the dollar, virtually unthinkable a few short months ago, still leaves our negotiators in a very tough position as far as negotiations are concerned. Naturally, much has been claimed for such a bitter pill to swallow as the devaluation of the once-mighty dollar, but there is a danger in this. Whatever short run temporary trading advantages are gained from dollar devaluation will be ultimately and inevitably offset unless something more basic is done to tackle the roots of this Nation's economic problems. Otherwise, the economy will be like a cancer patient in the absence of an underlying recovery. The question is, will the cutting this time be a once-and-for-all operation or will further surgery be necessary?

So, it is no wonder that Congressmen and Senators alike returned last week particularly interested in hearing what the President would have to say and propose as far as our serious economic problems were concerned. Unfortunately, I regret having to report listening to the relevant sections of the State of the Union address as well as to the budget he has proposed I find little comfort in the fact that he has chosen to continue more of the same economic policies, placing what I feel to be an excessive degree of trust and confidence in the ability of a few men on a few boards to administer wage and price controls in such a way as to cure our economic ills. Something else, however, seems to be needed in the way of cure than controls which amount to nothing more than attempts to keep the lid on. Unfortunately, the questions the President himself admitted he had not solved remain to haunt us. What steps are being taken to stimulate em-

ployment and curb unemployment? What steps are being taken to end the avalanche of imports into this country, costing as they do the jobs of American workers? What trade barriers are being dismantled at the borders of our foreign trading partners in order to allow American exports to have a fighting chance overseas? What steps are being taken to make investment at home more attractive than investment overseas at a time when we are losing technological advantages because of failure to keep up with the necessary investment in modern plants and machinery at home? As I said, Mr. Speaker, most of us expressed a keen sense of disappointment after reading the President's messages these past few days, but the last word has not been spoken, the last question has not been asked on this subject. In the coming weeks, Congress will have opportunities to question most conscientiously and in the greatest possible detail administration witnesses as they testify before the various committees on permission to raise the debt ceiling still further, congressional approval and the devaluation of the dollar, the various proposals of the budget itself, and certainly any administration proposals in the area of foreign trade. I am convinced upon returning to Washington that the people at home feel that we are their last hope in court. We cannot let them down where their very livelihood is concerned.

NOTE

Events move so quickly that even while I was preparing these remarks, two of the missing figures referred to above have been kindly furnished us by the administration. This morning's papers indicate that the administration is requesting a \$50 billion increase in the Nation's debt ceiling. Based on past experience, I think it is safe to assume we can ignore the word "temporary" in their application. The second impressive statistic supplied yesterday by the Commerce Department is that the 1971 trade deficit stands at \$2.05 billion, now that the December figures have been tabulated. When compared to the 1970 surplus of \$2.7 billion, we are in effect dealing with a deterioration of the magnitude of close to \$5 billion in the space of 12 months in this country's trade with foreign countries. Stopping just short of applying the word "crisis" to the situation, I think it is safe to conclude that this is a most serious situation.

THE PRESIDENT'S FOREIGN POLICY SPEECH

Mr. GERALD R. FORD. Mr. Speaker, I include at this point the speech of the President delivered last night and also an editorial from this morning's New York Times, which I have previously referred to:

TEXT OF A FOREIGN POLICY STATEMENT BY THE PRESIDENT TO BE DELIVERED ON NATIONWIDE RADIO AND TELEVISION—THE OVAL OFFICE

I have asked for this television time tonight to make public a plan for peace which can bring to an end the war in Vietnam.

The offer that I shall now present, on behalf of the Government of the United States

and the Government of South Vietnam, with the full knowledge and approval of President Thieu, is both generous and far reaching.

It is a plan to end the war now; it includes an offer to withdraw all American forces within six months of an agreement; its acceptance would mean the speedy return of all the prisoners of war to their homes.

Three years ago when I took office, there were 550,000 American fighting men in Vietnam; the number killed in action was running as high as 300 a week; there were no plans to bring any Americans home; the only thing that had been settled in Paris was the shape of the conference table.

I immediately moved to fulfill a pledge I had made to the American people: to bring about a peace that could last, not only for the United States, but for the long-suffering people of Southeast Asia.

There were two honorable paths open to us.

The path of negotiation was, and is, that path we prefer. But it takes two to negotiate; there had to be another way in case the other side refused to negotiate.

That path was called Vietnamization. This meant training and equipping the South Vietnamese to defend themselves, and steadily withdrawing Americans as they developed the capacity to do so.

The path of Vietnamization has been successful. Two weeks ago, I announced that by May 1st, American forces in Vietnam would be down to 69,000. That means almost one-half million Americans will have been withdrawn from Vietnam over the past three years. In terms of American lives, the losses of 300 a week have been reduced by over 95%—now less than ten a week.

But the path of Vietnamization has been the long voyage home, straining the patience and testing the perseverance of the American people. What of the shortcut—the path of negotiation?

Progress there has been disappointing. The American people deserve an accounting of why it has been disappointing. Tonight I intend to give you that accounting, and in so doing, to try to break the deadlock in the negotiations.

We have made a series of public proposals designed to bring an end to the conflict. But early in this Administration, after ten months of no progress in the public Paris talks, I became convinced that it was necessary to explore the possibility of negotiating in private channels, to see whether it would be possible to end the public deadlock.

After consultation with Secretary of State Rogers, our Ambassador in Saigon and our chief negotiator in Paris, and with the full knowledge and approval of President Thieu, I sent Dr. Kissinger to Paris as my personal representative on August 4, 1969, to begin these secret peace negotiations.

Since that time, Dr. Kissinger has traveled to Paris twelve times on these secret missions. He has met seven times with Le Duc Tho, one of Hanoi's top political leaders, and Minister Xuan Thuy, head of the North Vietnamese delegation to the Paris talks. He has met with Minister Xuan Thuy alone five times. I would like to take this opportunity to thank President Pompidou for his personal assistance in helping to make arrangements for these talks.

This is why I initiated these private negotiations: Privately, both sides can be more flexible in offering new approaches. Also private discussions allow both sides to talk frankly, and to take positions free from the pressures of public debate.

In seeking peace in Vietnam, with so many lives at stake, I felt we could not afford to let any opportunity go by—private or public—to negotiate a settlement. As I have stated on a number of occasions, I was prepared and remain prepared to explore any avenue, public or private, to speed negotiations to end the war.

For thirty months, whenever Secretary Rogers, Dr. Kissinger or I were asked about secret negotiations we would only say we were pursuing every possible channel in our search for peace. There was never a leak, because we were determined not to jeopardize the secret negotiations. Until recently, this course showed signs of yielding some progress.

Now, however, it is my judgment that the purposes of peace will best be served by bringing out publicly the proposals we have been making in private.

Nothing is served by silence when the other side exploits our good faith to divide America and to avoid the conference table. Nothing is served by silence when it misleads some Americans into accusing their government of failing to do what it has already done. Nothing is served by silence when it enables the other side to imply possible solutions publicly that it has already rejected privately.

The time has come to lay the record of our secret negotiations on the table. Just as secret negotiations can sometimes break a public deadlock, public disclosure may help to break a secret deadlock.

Some Americans, who believed what the North Vietnamese led them to believe, have charged that the United States has not pursued negotiations intensively. As the record will show, just the opposite is true.

Questions have been raised as to why we have not proposed a deadline for the withdrawal of all American forces in exchange for a ceasefire and the return of our prisoners of war; why we have not discussed the 7-point proposal made by the Vietcong last July in Paris; why we have not submitted a new plan of our own to move the negotiations off dead center.

As the private record will show, we have taken all these steps and more—and have been flatly rejected or ignored by the other side.

On May 31, 1971, eight months ago, at one of the secret meetings in Paris, we offered specifically to agree to a deadline for the withdrawal of all American forces in exchange for the release of all prisoners of war and a ceasefire.

At the next private meeting, on June 26, the North Vietnamese rejected our offer. They privately proposed instead their own 9-point plan which insisted that we overthrow the Government of South Vietnam.

Five days later, on July 1, the enemy publicly presented a different package of proposals—the 7-point Vietcong plan.

That posed a dilemma: Which package should we respond to, the public plan or the secret plan?

On July 12, at another private meeting in Paris, Dr. Kissinger put that question to the North Vietnamese directly. They said we should deal with their 9-point secret plan, because it covered all of Indochina including Laos and Cambodia, while the Vietcong 7-point public proposal was limited to Vietnam.

That's what we did. We even went beyond that, dealing with some of the points in the public plan that were not covered in the secret plan.

On August 16, at another private meeting, we went further and offered the complete withdrawal of U.S. and allied forces within nine months after an agreement on an overall settlement. On September 13, the North Vietnamese rejected this proposal. They continued to insist that we overthrow the South Vietnamese Government.

What has been the result of these private efforts? For months, the North Vietnamese have been berating us at the public sessions for not responding to their side's publicly-presented 7-point plan.

The truth is that we did respond to the enemy's plan, in the manner they wanted us to respond—secretly. In full possession of our complete response, the North Vietnamese publicly denounced us for not having responded at all. They induced many Ameri-

cans in the press and the Congress into echoing their propaganda—Americans who could not know they were being falsely used by the enemy to stir up divisiveness in this country.

I decided in October that we should make another attempt to break the deadlock. I consulted with President Thieu, who concurred fully in a new plan. On October 11, I sent a private communication to the North Vietnamese that contained new elements that could move negotiations forward, and urged a meeting on November 1 between Dr. Kissinger and Special Advisor Le Duc Tho or some other appropriate official from Hanoi.

On October 25, the North Vietnamese agreed to meet and suggested November 20. On November 17, just three days before the scheduled meeting they said Le Duc Tho was ill. We offered to meet as soon as Le Duc Tho recovered, with him, or immediately with any other authorized leader who could come from Hanoi.

Two months have passed since they called off that meeting. The only reply to our plan has been an increase in troop infiltration from North Vietnam and communist military offensives in Laos and Cambodia. Our proposal for peace was answered by a stepup in the war.

That is where matters stand today. We are being asked publicly to respond to proposals that we answered, and in some respects accepted, months ago in private.

We are being asked publicly to set a terminal date for our withdrawals when we have already offered one in private.

And the most comprehensive peace plan of this conflict lies ignored in a secret channel, while the enemy tries again for military victory.

That is why I have instructed Ambassador Porter to present our plan publicly at this Thursday's session of the Paris Peace Talks, along with alternatives to make it even more flexible.

We are publishing the full details of our plan tonight. It will prove beyond doubt which side has made every effort to make these negotiations succeed. It will show unmistakably that Hanoi—not Washington or Saigon—has made the war go on.

Here is the essence of our peace plan; public disclosure may gain it the attention it deserves in Hanoi.

Within six months of an agreement: We shall withdraw all U.S. and allied forces from South Vietnam.

We shall exchange all prisoners. There shall be a ceasefire throughout Indochina.

There shall be a new Presidential election in South Vietnam.

President Thieu will announce the elements of this election. These include international supervision; and an independent body to organize and run the election, representing all political forces in South Vietnam, including the National Liberation Front.

Furthermore President Thieu has informed me that within the framework of the agreement outlined above, he makes the following offer: He and Vice President Huong would be ready to resign one month before the new election. The Chairman of the Senate, as caretaker head of the government, would assume administrative responsibilities, but the election would be the sole responsibility of the independent election body.

There are several other proposals in our new peace plan; for example, as we offered privately on July 26 of last year, we remain prepared to undertake a major reconstruction program throughout Indochina, including North Vietnam, to help all those peoples to recover from the ravages of a generation of war.

We will pursue any approach that will speed negotiations.

We are ready to negotiate the plan I have outlined tonight and conclude a comprehensive agreement on all military and po-

litical issues. Because some parts of this agreement could prove more difficult to negotiate than others, we would be willing to begin implementing certain military aspects while negotiations continue on the implementation of other issues, just as we suggested in our private proposal in October.

Or, as we proposed privately last May, we remain willing to settle only the military issues and leave the political issues to the Vietnamese alone. Under this approach, we would withdraw all U.S. and allied forces within six months in exchange for an Indochina ceasefire and the release of all prisoners.

The choice is up to the enemy.

This is a settlement offer which is fair to North Vietnam and fair to South Vietnam. It deserves the light of public scrutiny by other nations and by other nations as well. And it deserves the united support of the American people.

We made the substance of this generous offer privately over three months ago. It has not been rejected, but it has been ignored. I reiterate that peace offer tonight. It can no longer be ignored.

The only thing this plan does not do is to join our enemy to overthrow our ally, which the United States of America shall never do. If the enemy wants peace, it will have to recognize the important difference between settlement and surrender.

This has been a long and agonizing struggle. But it is difficult to see how anyone, regardless of his past position on the war, could now say that we have not gone the extra mile in offering a settlement that is fair to everybody concerned.

By the steadiness of our withdrawal of troops, America has proven its resolution to end its involvement in the war; by our readiness to act in the spirit of conciliation, America has proven its desire to be involved in the building of a permanent peace throughout Indochina.

We are ready to negotiate peace immediately.

If the enemy rejects our offer to negotiate, we shall continue our program of ending American involvement in the war by withdrawing our remaining forces as the South Vietnamese develop the capability of defending themselves.

If the enemy's answer to our peace offer is to step up their attacks, I shall fully meet my responsibility as Commander-in-Chief of our Armed Forces to protect our remaining troops.

We do not prefer this course of action.

We want to end the war not only for America but for all the people of Indochina. The plan I have proposed tonight can accomplish that goal.

Some of our citizens have become accustomed to thinking that whatever our government says must be false, and whatever our enemies say must be true. The record I have revealed tonight proves the contrary. We can now demonstrate publicly what we have long been demonstrating privately—that America has taken the initiative not only to end our participation in this war, but to end the war itself.

This has been the longest and most difficult war in our history.

Honest and patriotic Americans have disagreed as to whether we should have been involved at all nine years ago; and there has been disagreement on the conduct of the war. The proposal I have made tonight is one on which we can all agree.

Let us unite now in our search for peace—a peace that is fair to both sides—a peace that can last.

PRESIDENT'S PEACE PROPOSALS

The Vietnam peace proposals which President Nixon made public last night represent a major advance over the Administration's previous public positions on ending the war.

They merit support from all shades of American opinion and a positive response from the other side.

By agreeing to set a fixed date for the withdrawal of American forces from South Vietnam in exchange for the return of prisoners of war, the President has moved dramatically in the direction long advocated by many members of Congress. But like the Vietcong, Mr. Nixon has linked withdrawal to conditions for a political settlement that the other side may find difficult to accept.

Even in its political components, however, the President's peace plan offers marked advances over earlier positions—notably the resignation of President Thieu and Vice President Huong one month before new internationally supervised presidential elections and the establishment of an independent body representing all political forces in South Vietnam to organize and run the election. These are significant concessions by the President.

This is not a foolproof peace plan. But at first look, the President's new proposals do appear to offer a basis for serious negotiations in Paris. The Vietnamese Communists owe the world and their long-suffering people a forthright response.

HIGHWAY TRUST FUND MONEYS FOR MASS TRANSIT

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, there have been some encouraging breaks this year in the automotive industry's long resistance to the use of revenues from gasoline taxes for mass transit. This is significant because the Congress will soon be considering legislation to amend and extend the Highway Trust Fund.

Yesterday, the heads of four major automobile companies announced their support of a plan to divert a portion of Michigan's highway trust fund revenues to public mass transportation operations. The Michigan State Legislature is presently considering legislation that would allocate some \$10.4 million annually to mass transit from the State's taxes on gasoline.

This is a change in position for the auto industry, and it represents a recognition on their part that the revitalization of many central cities requires adequate mass transit and that there are some situations in which mass transit can better serve the public than highways.

A similar acknowledgment has come from one of our country's major oil companies, Mobil. Last week Mobil Oil Corp. ran an advertisement in the New York Times that called for the enactment by Congress of a national master transportation program. Such a program would tie all forms of transportation together, treating each as a part of an overall transportation system. In its ad, Mobil also stated:

We must have new and vastly better mass transit systems.

Another step forward came on January 6 when Henry Ford suggested in a news conference that some Federal Highway Trust Fund moneys be used for mass transit research and demonstration programs.

Mr. Speaker, I have introduced a bill,

H.R. 4571, that would provide for the unification of our transportation programs through the establishment of a single National Transportation Trust Fund. This trust fund would combine the highway, mass transit and airport programs and their revenues. It would provide for a coordinated administration of these programs with Federal funds being allocated to those transportation projects most critically needed.

Today, I am writing to Governor Nelson Rockefeller of New York urging that he recommend legislation allocating some of the revenue from New York's gasoline taxes to the State's public mass transit systems. The need for such new revenues is great; New York City's transit system alone will run up a deficit of over \$400 million in the next 2 years.

I hope that our colleagues might urge similar action in their States and that this year the Federal Highway Trust Fund will be replaced by a unified National Transportation Trust Fund providing a balanced transportation program in this country.

Mr. Speaker, at this time I insert in the CONGRESSIONAL RECORD the commendable statement of policy set forth by Mobil in its advertisement of January 20:

LET'S GET MOVING WITH A NATIONAL MASTER TRANSPORTATION PROGRAM

Anyone in America who rides trains or buses or subways, or uses public transportation to get in and out of airports, knows our mass transit is pitiable.

More and better mass transit could ease traffic jams, reduce air pollution, and conserve energy fuel. And make moving around a lot more civilized.

To achieve this, as we suggested in this space on October 19, 1970 ("America has the world's best highways and the world's worst mass transit"), we must have new and vastly better mass transit systems.

Instead of dealing with highway construction, railway needs, urban transit, airport improvement, and maritime requirements in separate pieces of legislation, we should approach them as part of an overall transportation plan. This would tie all forms of transportation together to move people and goods fast, safely, comfortably, on time, and at reasonable cost.

To carry out that plan, Congress should enact a National Master Transportation Program. The money should come from direct Congressional appropriation, based on clear and rational priorities. In the process, the Congress should review all special earmarked funds, including the Highway Trust Fund.

Mobil supported the Highway Trust Fund when it was enacted in 1956, as a logical way to raise and husband the money needed to build the Interstate Highway system. Now we believe a new look is needed at the whole question of transportation and transportation funding. Such a review may show that special earmarked funds are no longer the best possible approach.

Indefinite continuation of the Highway Trust Fund could deter construction of more-urgently needed non-highway transportation facilities. Indefinite continuation also would encourage expansion of the fund's goals at a time when they ought to be cut back.

Completion of the Interstate Highway System should be reviewed. It now is apparent that some sections of urban areas (lower Manhattan, for instance, and South Philadelphia) would cost \$20 million per mile to complete. It is not at all certain that the benefits from these sections would justify the outlay.

Highways are important to us, obviously. Highway travel builds sales for Mobil. But traffic jams, and a glut of cars using too much gasoline to haul too few passengers, waste many resources, including oil.

We want our products to help more people get where they want to go, with greater ease and less waste than is now possible.

In our view, that requires the establishment of a National Master Transportation Program as soon as possible.

BEST INVESTIGATIVE AWARD TO NEIL SHEEHAN

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on December 13 upon the occasion when the Drew Pearson Foundation made the award to Neil Sheehan of the New York Times of the best investigative reporting of the year, Mrs. Drew Pearson was graciously present and received a warm ovation from the large audience in attendance. Mrs. Pearson made a touching speech, movingly appropriate for the occasion and reminding of the great investigative career of her devoted husband, Drew. I know my colleagues and those who will read this RECORD will be pleased to read Mrs. Pearson's very touching remarks. I include the remarks in the RECORD at this point:

MRS. DREW PEARSON'S SPEECH AT FIRST ANNUAL DREW PEARSON AWARD LUNCH

Mr. Louviere, honored guests, ladies and gentlemen.

First I want to thank you all for coming here today. I really appreciate your taking time from your busy schedules at this busiest of seasons to join us of The Drew Pearson Foundation in honoring the first winner of our annual award for investigative reporting.

In more than half a century as a working newspaperman, Drew broke countless stories of national and even international importance. As Arthur Krock once said to me: "I don't always agree with Drew, but he sure helps keep the government honest." I can imagine how much Drew would have liked to break the "Pentagon Papers" story so I am proud, as a representative of The Drew Pearson Foundation, to give its first award to Neil Sheehan, who at great personal risk has, in the judgment of the Trustees, best carried on the Drew Pearson tradition by bringing to public attention the existence of the Pentagon's secret history of the Viet Nam war.

Congratulations, Mr. Sheehan. You have set a high standard, which we hope will be equalled by other award winners in years to come.

PERSONAL EXPLANATION

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, after voting for the adoption of the rule providing for bringing to the floor the conference report on the foreign aid bill yesterday, I was called to a conference with White House officials on important drug legislation. Unfortunately, I was delayed in getting back until after the vote was taken. If I had been present I would have voted aye for the adoption of the conference report. Previously, I had voted

in the Rules Committee to report this conference report to the House.

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, in early December a most meaningful National Conference on Corrections was held at Williamsburg, Va., under the auspices of the honorable John Mitchell, Attorney General of the United States. This conference brought together many distinguished leaders of America from the executive, judicial, and legislative branches of our Government and at the State as well as the Federal level to discuss the critical question of the correctional institutions of our country and the correctional procedures being employed in such institutions in the United States today. It is generally agreed that about 95 percent of the inmates of our correctional institutions in the United States at some time in their lives are released from confinement and go back into society as free individuals. Some estimate that as many as 75 percent of those released from such institutions subsequently—and often in a matter of a very few years—commit other crimes and are again adjudicated guilty and again incarcerated in a penal institution. I know of instances where inmates currently confined have as many as five times previously been adjudged guilty of crime and confined in penal institutions. Hence, one of the most critical aspects of the problem of crime in the United States today, as the House Select Committee on Crime has had dramatically confirmed, is the correctional system in the Nation today. The National Conference on Corrections at Williamsburg was concerned with this, one of the most vital aspects of the criminal problem in the Nation today.

So important did he consider this conference that the Chief Justice of the United States, the Honorable Warren E. Burger, attended the conference and addressed it at Williamsburg the evening of December 7, 1971. The Chief Justice delivered a magnificent address exhibiting his deep concern about this problem of corrections and presenting a penetrating and thorough analysis of the problem, enlightening those who were fortunate enough to hear him not only with his analysis of the correctional problem but with a comprehensive and most significant series of recommendations as to how the problem should be met in the country. This subject has given the Chief Justice the most grave concern and, therefore, he spoke in addressing the conference not only with great knowledge but with deep conviction about the challenge of the correctional system today to the country. The address of Chief Justice Burger will be of particular interest to Members of Congress who are so much concerned with the problem of crime and all aspects of it.

Therefore, Mr. Speaker, I am grateful for the permission of the Chief Justice to present his able address for inclusion in the body of the CONGRESSIONAL RECORD for the benefit of my colleagues in the Congress and all who read this RECORD. The address of the Chief Justice follows:

REMARKS OF CHIEF JUSTICE WARREN E. BURGER

I am sure that everyone concerned about problems of corrections and prisons was heartened by the action of the President in convening this Conference. It is time for a massive coordinated effort by the state and federal governments.

It is also highly appropriate that these sessions are held in this historic place for it was a distinguished Virginian, George Keith Taylor, brother-in-law of Chief Justice Marshall, who, as a member of Virginia's House of Delegates, spoke here almost exactly 175 years ago—on December 1, 1796, to be precise—on behalf of legislation to improve the penal system of the Commonwealth.

Taylor is remembered as one of the first leaders on this continent to advocate the enlightened views of the great Italian reformer and legal philosopher, Beccaria. Thus, Virginia is a familiar forum for the problems this Conference is considering.

For as long as I have been a judge, I have tried to see the administration of criminal justice in terms of three major entities, or parts, all constituting interrelated parts of a single problem.

The first, obviously, is the police and enforcement function; the second is the judicial function; and the third is the correctional and confinement aspect, and, closely related, the vital release programs of probation, parole, and work parole.

This Conference is concerned with that third and final, and very crucial, aspect of justice. On other occasions I have said, and I strongly believe, that this third phase is perhaps the most neglected of all three of the aspects of justice, although each of the other two has strong claims, unfortunately, for first place in that respect.

The problem of what should be done with criminal offenders after they have been found guilty has baffled societies for thousands of years. Therefore, none of us would be so brash as to assume that this Conference can even discuss, let alone solve, all the enormous problems that have been with us for several thousands of years. Because of this terrifying magnitude of the problem, I hope the Conference will find a way to identify just a few of the most urgent but soluble problems and address ourselves to them at once. If we try to solve all the problems, we will solve none. We must be content with modest progress and small victories.

Ideals, hopes and long-range planning must have a place, but much can be accomplished without further research or studies in the essentially "nuts and bolts" side of corrections.

I hesitate to suggest, even in a tentative way, my own views of those solutions to an audience that includes so many genuine experts and authorities in this field. Since the recent events at Attica, New York, and in California, the country has been recalling the warnings that many of you have uttered on the need to reexamine both the basic attitudes and the tools and techniques of correctional systems and prisons. (I need hardly add, to this audience, that there is a vast difference even though for shorthand we use the two terms interchangeably.)

Even to reach some solutions on the urgent, the acute, the immediate problems, will take large outlays of money, and this cannot be produced except with a high order of public leadership to develop a public commitment and, in turn, a legislative commitment at state and national levels.

As I see it, the urgent needs include these:

1. Institutions that provide decent living conditions, in terms of an environment in which hope can be kept alive.
2. Personnel at every level who are carefully selected, properly trained, with an attitude of understanding and motivation such

as we seek in teachers; and with compensation related to the high responsibility.

3. Improved classification procedures to insure separation of incorrigibles from others.

4. A balanced program of productive work, intensive basic education, vocational education, and recreation.

5. Communication with inmates.

6. A system of justice in which judges, prosecutors and defense counsel recognize that prompt disposition of cases is imperative to any hope of success in the improvement of those convicted.

INSTITUTIONS AND FACILITIES

I will not dwell on the subject of institutional housing since most of you are better informed on the facts and more knowledgeable as to the needs than I am. I fear that if we took a realistic national inventory and determined how many states meet minimum standards that most of us would agree on, the result would be a melancholy commentary on a 20th century society. The rise in crime has crowded most prisons beyond any reasonable bounds and new structures are needed. We know, however, that many of our problems flow from having institutions that are too large, that are poorly located and inaccessible to the family of the inmates, too far away from facilities for work release programs, and located in areas that do not provide adequate housing for personnel of the institution.

As you well know, bricks and mortar do not make a sound correctional institution any more than bricks and mortar make a university, a newspaper, or a hospital. People and programs are crucial. The recent events in two of the largest and most affluent states are evidence that more than good "plant and equipment" are needed. With all that has been said and written about the problems in New York and California, there has been almost nothing communicated to the public about the fact that the particular institutions in question are among the more modern penal institutions in a physical sense. Attica and San Quentin serve to remind us that even the best of buildings have not provided solutions.

So even when we finally eliminate the 19th century dungeons and terrible overcrowding that prevails in so many places, we will still have enormous problems left to solve. It will take millions of dollars to accomplish the changes needed, but it must be done and we must have new thinking about what constitutes a correctional institution in a purely physical sense, where it should be located and how large it should be.

PERSONNEL

You are well aware, but the public is not, that well-trained personnel is far more important than the bricks and mortar. "Just anybody" cannot make a sound correctional institution any more than "just anybody" can make a good parent or a good teacher. We have yet to understand that the people who operate prisons, from the lowest guard to the highest administrator, are as important in the whole scheme of an organized society as the people who teach in the schools, colleges and universities.

I suspect some experts would say that is an understatement in the sense that the reasonably normal people who go to schools can overcome the handicap of poor teaching. We know that most prison inmates are not mentally and emotionally healthy and therefore need something more than normal people require. Guards and guns are not enough.

As we are now slowly awakening to the need for more intensive training for policemen on the beat and in the patrol cars, we must sense that the guards, the attendants, the teachers, and the management of prisons must be specially selected for their temperament and attitude and then specially trained for their crucial part in the task of helping prisoners to help themselves.

I am sure that every person here must be elated over the Attorney General's proposal to establish a National Corrections Academy patterned after the great training program of the FBI Police Academy. The management and operation of penal institutions has desperately needed such a nationally coordinated program to train every level of prison personnel from guards to wardens, as the Department of Justice has done with police administrators.

This decision on the part of the President and the Attorney General could be one of the milestones in correctional history.

IMPROVED CLASSIFICATION PROCEDURES

In many institutions we know that overcrowding and understaffing have led to a breakdown of classification procedures and practices. In some institutions there are no such procedures. One of the high prices we pay for that lack is a mingling of youthful offenders and first offenders with recidivists, incorrigibles, drug addicts and others who are seriously mentally disturbed. A very high priority must be given to separating inmates, and this is particularly important today with respect to the riot-prone inmates. Those who would disrupt and destroy a penal institution must be separated to protect those who are trying to learn and to prepare themselves for the future. Every inmate has a right to be insulated from those who are bent on lawless acts.

A BALANCED PROGRAM

We need look only at the median age of inmates to see at once the need for athletic and other recreational facilities so that these young men can burn off the surplus energies of youth as many of them would be doing if they were free. The corrosive impact of enforced idleness at any age is bad enough, but on young men it is devastating. Playing cards, watching television or an occasional movie, with nothing more, is building up to an expensive accounting when these men are released—if not before. Such crude recreation may keep men quiet for the time, but it is a quiet that is ominous for the society they will try to reenter.

Some states have recognized these needs and provided for them, but many have not. If anyone is tempted to regard this as "coddling of criminals" let him visit a prison and talk with inmates and staffs. I have visited some of the best and some of the worst prisons and I have never seen any signs of "coddling" but I have seen the terrible effects of the boredom and frustration of empty hours and a pointless existence.

RECREATION AND EDUCATION

Recreation and education programs really go hand in hand in prisons as they do in schools and in life.

When society places a person in confinement, it deprives him of most normal opportunities and much of the motivation for self-improvement. When society does this, it has a moral obligation to try to change that person—to make a reasonably successful human being out of him. Common sense and the self-interest of society dictate this even if we lay aside all considerations of human decency and our religious beliefs as to redemption.

Here perhaps our failure is the greatest. The percentage of inmates in all institutions who cannot read or write is staggering. Another, and largely overlapping category, is made up of those who have no marketable skills on which to base even a minimally successful life.

The figures of literacy alone are enough to make one wish that every sentence imposed could include a provision that would grant release when the prisoner had learned to read and write, to do simple arithmetic, and then to develop some basic skill that is salable in the market place of the outside world to which he must some day return and in which he must compete. Since the

best of human beings need motivation and hope, why have we thought prisoners can do without both? We should develop sentencing techniques to impose a sentence so that an inmate can literally "learn his way" out of prison as we now try to let him earn his way out with "good behavior."

We know that today the programs of education range from non-existent to inadequate, with all too few exceptions. However we do it, the illiterate and the unskilled who are sentenced for substantial terms must be given the opportunity, the means and the motivation to learn his way to freedom.

Meanwhile, we should make certain that every inmate works and works hard. With countless thousands of law-abiding citizens "moon-lighting" on second jobs to make both ends meet, there is no reason why every healthy prison inmate should not be required to work to earn at least a part of his "keep." Moreover, every consideration of rehabilitation demands that inmates be kept busy with productive work, with learning and self-improvement. With this must come an expansion of psychological and religious counseling to instill motivation and maintain hope.

COMMUNICATION

We know that one of the deepest hungers of the human being is communication with others on his hopes, his fears, his problems. Inside the walls of a prison this basic need of Man does not vanish and indeed we know it is greater than ever. A means of regular communication should be established between inmates and those who run the institution. We cannot turn the management of a prison over to the inmates, but society, as represented by the "keepers," can listen to what the inmates have to say.

To that extent it is feasible and consistent with orderly administration, therefore, the inmates need to have a chance to regulate some limited part of their lives, however small, by the processes of deliberation and choice. If we tie a person in a chair for a long time, we can hardly be surprised if he can't walk when we let him loose. Within limiting regulations necessary for basic order, inmates should be allowed to think and walk and talk as we will demand that they do when they are released. What can be wrong with allowing prisoners to practice, on a small scale, the very things we will insist they do when they are again free?

SPEED IN ADMINISTRATION AND JUSTICE

Finally, a few words need be said about the functioning of the courts in relation to the correctional system. Time does not permit discussion of standards for sentencing and related matters that you are dealing with in "work shops" and seminars, but I am confident we would all agree the judicial system has a responsibility to see to it that every criminal charge is tried as promptly as possible and that the appeal is swiftly heard and decided. In some places the time lag between arrest and trial is hardly less than a public disgrace. Some of this is due to the maneuvering of lawyers who misconceive their function and seek to postpone the trial date as long as possible; some is due to overworked defender legal aid staffs, overworked prosecution staffs, and overloaded courts—and some to poor management of the courts.

Whatever the cause, the impact of the delay in disposing of criminal cases covers a range of consequences:

(a) For any person, guilty or innocent, a long pretrial confinement is a corrosive experience; it is an enforced idleness in an environment often worse than the poorest correctional institution.

(b) Prolonged confinement after sentence and before commitment to a conventional corrections institution is likely to erode whatever may be the prospects of making a useful and law-abiding citizen out of the convicted person.

(c) We have all seen examples of defendants who have exploited procedural devices to postpone the final verdict of guilt for years with the result that their warfare with society has embedded and intensified their hostilities and rendered prospects for future improvement virtually zero.

(d) Delay in final disposition also exposes the public to added dangers when the accused is in fact an incorrigible criminal whose release on bail is exploited to commit new crimes. Sometimes this rests on a belief, widely shared by sophisticated criminals, that when finally brought to justice he will receive concurrent sentences for multiple crimes. The measure of these risks can be found in the increasing percentage of recidivists on the criminal dockets of every court in the country.

We in the legal profession and the judiciary have an obligation to put our own house in order, and to this end the Judicial Conference of the United States in October approved programs to expedite trials and appeals in federal courts and to establish means of identifying the cases in which there is a likelihood that delays will occur. Other programs have been instituted and yet others are to come, all directed to insure the speedy justice to which every accused is entitled and which the society has a right to demand for the protection of all its members.

The statistics of the federal courts are only a small fraction of the total picture and they show nearly 42,000 new criminal cases annually, an increase of 45% in 10 years.

PRISON VISITATION

Two and one-half years ago, in discussing corrections problems at the ABA meeting in Dallas, Texas, I urged that lawyers and judges—and indeed citizens generally—visit prisons and form their own judgments. The Young Lawyer's Section of the ABA took on the burden of promoting a Prison visitation Program.

I am not currently informed on all the details but I do know that in some states a very large number of such visits have been organized and that more and more judges and lawyers are finding out about prisons. Few things would help more than having the public fully informed on the problems of prisons and the burdens of those who administer them. Most administrators know a great deal of what ought to be done and none of my cursory observations at this Conference present anything new to you. What is desperately needed is that you have the resources and the authority that only public support and legislative action can provide. The people of this country can bring that about if they will see firsthand how their institutions are being run and what support they receive. We know that not all offenders can be salvaged, as we know that not all lives can be saved from disease, but like the physician, we must try.

It is most fortunate that one of the great organizations in the country saw, two years ago, that a national effort was called for to improve our correctional processes. The ABA created not one of the usual committees of lawyers, but a Commission that includes leaders of Labor, Industry, Judges, lawyers, penologists, and other specialists, including some of the most distinguished correctional administrators in the country, and a professional staff to carry on their work. All of the members of that Commission are invited members of this Conference and I know that Governor Richard J. Hughes, its Chairman, will cooperate in every way with you.

What I have been trying to express is my deep conviction that when society places a person behind walls we assume a collective moral responsibility to try to change and help that person. The law will define legal duties but I confess I have more faith in what a moral commitment of the American people can accomplish than I have in what

can be done by the compulsion of judicial decrees.

The great tradition of America comes to us from the people who came here and by work, faith and moral fortitude turned a wilderness into a nation. Most of them were the poor and the oppressed of Europe. All of them wanted something better than the life they had abandoned.

Part of the American tradition has been to give of our bountiful treasure to others to restore them from the ravages of wars and natural disasters. We have not always shared our resources wisely but we have shared them generously.

Now we must try to give leadership and guidance to see that this generous spirit and this American tradition are applied to one of the large unsolved problems of Mankind and surely one of the unsolved problems of our society.

You accept this as your obligation by being here and I accept it as part of mine. Together we must let the people and the lawmakers know what needs to be done.

CUBAN DECLARATION OF FREEDOM

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, last Sunday was the sixth anniversary of the adoption by 1,500 Cubans in exile of a statement of principles of liberty, freedom, and democracy.

These are the principles embodied in our own Declaration of Independence, and I set them forth in a House Joint Resolution 294, which I introduced on January 23, 1969. In this Congress I reintroduced these principles in House Joint Resolution 138, commending the Cuban Declaration of Freedom and expressing the hope that a government embodying these principles will soon be established in Cuba.

I commend these eternal principles to all those who seek restoration of a free Cuba. I urge our own Government to take special note of these aspirations of the Cuban people, as represented in our country by these exiles from the Castro Communist regime.

Let us as Americans pledge our determination to secure for the great people of Cuba the liberty and independence we cherish for ourselves.

THE YEAR 1972 WILL BE DIFFICULT AND CHALLENGING FOR WORKERS AND UNIONS

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I am including in the Record today a challenging statement made by AFL-CIO President George Meany on January 1, 1972:

For the workers and unions of the United States, 1972 will be a difficult and challenging year. The economic road signs are not encouraging; the social problems grave; leadership of America has shown no competence for dealing with these problems which spell suffering and hardship to millions of our citizens.

To itemize America's problems is to demonstrate the magnitude of the tasks ahead:

Unemployment remains unchecked with five million jobless, millions more under-

employed and uncounted thousands too discouraged to even seek gainful employment. Throughout America, the fear of losing their job haunts workers.

The prices workers must pay for everything they buy continue to mount while the much publicized price control program, with no effective enforcement mechanism, promises much and delivers little.

Workers' wages are rigidly controlled by a governmental mechanism which provides no elasticity to meet inequitable situations and which is undermining collective bargaining. As a result, wages are not even catching up with past increases in the cost of living.

The ranks of the poverty stricken continue to swell at an alarming rate. Welfare rolls are at the highest level in history, sapping the financial strength of the already overburdened states and cities who continue to underpay their employees.

School systems stagger under the burden of trying to meet the equally vital needs for quality education, equal opportunity for children without regard to any barrier of race, creed or color and the rights of teachers and other school personnel to decent salaries and proper status.

The aged in America have little financial security in their twilight years as Social Security benefits fail to match the economic needs of the time.

The children of the poor face the prospect of dim years ahead because the nation fails to provide jobs for mothers who would work and day care centers for their young while their mothers are working.

Everyone in America fears illness of any sort for the cost of medical care in the nation has grown astronomically while the delivery system for medical care has virtually collapsed.

Crime in America has reached epidemic proportions despite the hollow campaign promises of the current Administration. In the year just passed, fatal assaults on peace officers hit a record high, demonstrating the crying need for law, order and justice in the nation.

The Administration's abrupt, unexplained shifts in foreign policy confuse the people of America who no longer know what, if any, principles govern the international policies of the United States.

And, most serious of all, the public's confidence in its government has been seriously corroded as a result of sudden and disconcerting changes in policies, abandonment of principles for monetary political gain and the reliance on gimmickry, government by surprise and the wholesale destruction of candor by an Administration that cannot resist politicizing even its statistical-gathering agencies.

Yet American workers and their unions face the uncertain year ahead with a marked degree of confidence born from the knowledge that self-delivery is available through the most precious possession of free people—the ballot.

That is why the organized labor movement of the United States will make political action our most important undertaking of the coming year.

Through our votes, we are firmly convinced we can achieve a fully-employed nation, dedicated to improving the life of her ordinary citizens, protected against the virus of inflation, secure in the knowledge that both the young and the old will be governed with compassion, understanding and concern.

We are convinced we can achieve a government whose policies will be based on equity, dedicated to peace, determined to end the misery, privation and suffering of her people.

All this we are confident we can do with our votes in November. And to assure that result, we dedicate ourselves to a year of decisive, effective hard work.

The victory which we are certain we will achieve will be a victory for all America. And that is the goal of organized labor for 1972.

ALLOWANCE FOR RENTAL OF DISTRICT OFFICES

(Mr. THOMPSON of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. THOMPSON of New Jersey. Mr. Speaker, House Resolution 457, adopted by the House of Representatives on July 21, 1971, provided the Committee on House Administration the authority to fix and adjust from time to time various allowances by order of the committee. Pursuant to this authority, the committee has revised Order No. 1 which was effective August 1, 1971.

As revised by the Committee on House Administration, Order No. 1 allows greater flexibility to Members in renting district offices by removing the limitation on the number of offices which can be rented while at the same time retaining the present rental allowance monetary limitations. Thus, revised Order No. 1 will not increase the cost to the House of Representatives of the district office rental program.

Order No. 1, as revised, reads as follows:

92d CONGRESS—REVISED ORDER NO. 1: ALLOWANCE FOR RENTAL OF DISTRICT OFFICES

Resolved, That effective January 25, 1972, each Member of the House of Representatives shall be entitled to office space suitable for his use in the district he represents at such places designated by him in such district. The Sergeant at Arms shall secure office space satisfactory to the Member in post offices or Federal buildings at not more than two (2) locations if such space is available. Office space to which a Member is entitled under this resolution which is not secured by the Sergeant at Arms may be secured by the Member, and the Clerk shall approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for office space not exceeding a total allowance to each Member of \$200 per month; but if a Member certifies to the Committee on House Administration that he is unable to obtain suitable space in his district for \$200 per month due to high rental rates or other factors, the Committee on House Administration may, as the Committee considers appropriate, direct the Clerk to approve for payment from the contingent fund of the House of Representatives vouchers covering bona fide statements of amounts due for suitable office space not exceeding a total allowance to each Member of \$350 per month. Members shall be entitled to have no more than three (3) district offices outfitted with office equipment, carpeting, and draperies at the expense of the General Services Administration.

As used in this resolution the term "Member" means any Member of the House of Representatives, the Resident Commissioner of Puerto Rico, and the Delegate of the District of Columbia.

SUBSIDIZED HOUSING IN CITIES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, because of the unprecedented interest being ex-

pressed in the recent activities of the Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations, I have been calling to the attention of my colleagues a series of articles that began to appear shortly after the field hearings conducted by the subcommittee in Detroit in early December.

It is apparent that the problems of Detroit are the problems of virtually every major city in our country. While it is entirely too soon for the subcommittee to even attempt to evaluate the ultimate costs likely to be involved, it is becoming increasingly clear that the underlying causes are indeed complex and that the task of achieving permanent and lasting solutions or even steps toward permanent and lasting solutions is going to be far more difficult than any of us could have ever envisioned as we began our oversight hearings of the operations of the Department of Housing and Urban Development last May.

Investigative reporters in many cities have been exposing, for the past year, a wide variety of unscrupulous practices that have clearly profited a few while compounding the misery of those we sought to help by providing a "decent home" for every American family.

For many years, John Herbers of the New York Times has closely followed and monitored efforts by all of us to achieve the purposes articulated by the Housing Act of 1949 of insuring "a decent home and a suitable living environment for every American family." He is, therefore, and perhaps uniquely, in a position to place the current difficulties being experienced in our cities today into the perspective we shall need to make a new beginning to bring to reality our national housing goal. His most recent article, appearing in the New York Times of January 24, 1972, is earnestly called to the attention of the House because a deep understanding of what we have attempted to do and its cost will be required of us all.

The article follows:

SUBSIDIZED HOUSING RISE IN SUBURBS ALARMS CITIES

(By John Herbers)

WASHINGTON, January 23.—Investors and builders in the growing subsidized housing field are increasingly sponsoring projects in the suburbs and avoiding the troubled inner cities, according to a broad range of authorities on the subject.

This development, along with the Government's newly tightened policy against building in areas of the poor and minority groups, points up an accelerating trend away from building in central city neighborhoods, many of which are experiencing extensive housing failures and abandonment.

There are two distinct views of the trend, one hopeful and the other alarmed.

Those involved say that the extensive construction of subsidized suburban housing may at long last provide an escape to stable neighborhoods and job opportunities for families of marginal means who have been confined to areas of social and physical decay.

But mayors and other urban officials with jurisdiction over the central cities are expressing alarm at what is happening. They say they are left holding vast areas of cleared land for planned housing that may not materialize. The National Association of Housing and Redevelopment Officials has charged that guidelines promulgated by the Depart-

ment of Housing and Urban Development show "a definite bias toward assisted housing in suburban and rural areas."

A recent statement by the association said that the final version of the guidelines, published Jan. 6 in the Federal Register, go even further than earlier versions against building new housing in urban renewal and model cities areas.

The guidelines are in the form of a grading system that local H.U.D. offices apply to applications for authority to build or rehabilitate subsidized units. A project could fail to meet the test if it tended to increase substantially the number of minority poor in an area of great minority concentration.

High ratings are provided for projects that would meet an acute housing need, would be in areas offering good job opportunities and a favorable environment.

However, the decision of many investors to build outside the central cities whenever possible may be as important as Government policy in the matter.

These findings are based on interviews in recent weeks with Federal and local officials, private experts and investors in the housing field. Some officials interpret the trend to mean an even faster migration from the central cities during the next few years than was experienced in the nineteen-sixties.

At the same time, these developments have raised new questions about the controversial housing programs that have mushroomed in the last three years. Not only are investors awarded enormous tax writeoffs to provide low and moderate income housing, the critics say, but also their decisions are having an enormous impact on the structure of urban areas.

HIGHER FIGURE EXPECTED

Last year, more than 500,000 units of subsidized housing—about 25 per cent of the total production—were built, and the figure is expected to be higher this year. The Government subsidizes interest on mortgages, provides rent supplements and other benefits, and maintains one of the most lucrative tax shelters in the Federal law for high income groups in order to attract investments.

The housing programs were enacted during the sixties with the understanding that they would provide housing opportunities throughout a metropolitan area and be a big factor in renewing the decaying central cities. This was to be particularly so in model city and urban renewal areas, where the authorities were making an effort to raise both the physical and social environment.

One of the largest components, the home ownership program known as Section 235, which provides interest subsidies and guaranteed mortgages, has gone largely to the suburban ring in single family homes because of land availability outside the cities and has done little to change traditional racial patterns. Blue-collar whites have been the chief beneficiaries.

However, a substantial percentage of subsidized apartments, both new and rehabilitated, has gone into the central city as non-profit groups and local public bodies have sought to improve housing conditions in the urban slums.

A large proportion of these are now in trouble, in default of their mortgage payments because of a combination of factors: The subsidized system frequently produced a poorly constructed, poorly managed property in areas where little had been done to halt spreading crime, vandalism, poverty and abandonment.

APPLICATION BACKLOG

As a result, investors and developers are staying away from such areas and the new Federal guidelines give them an advantage in doing so. In almost every city, there is a backlog of applications for subsidized housing, and the grading system set out in the guidelines favors suburban construction.

What is involved can be seen through American Housing Partners, a real estate operation set up last August under Kaufman & Broad, Inc. The operation, based in Washington, invests money provided by high-income persons seeking tax shelters in subsidized housing.

William B. Dockser, the president, is a 34-year-old graduate of Harvard College and Yale Law School who has held several positions in the Department of Housing and Urban Development in the Nixon Administration, most recently Assistant Commissioner for Subsidized Housing. In other words, he ran the subsidized housing programs.

Now Mr. Dockser is making his expertise available to investors who want the tax shelter—generally people with incomes of \$50,000 or more—but who also want some assurance that their investment is sound.

The attractiveness of the tax shelter is indicated by a statement by Henry B. Schecter, senior specialist in housing for the Library of Congress.

For a person in the 50 per cent income tax bracket, he said, it has been estimated that the return on equity investment in Section 238 housing would range for 30 per cent in the first year down to 26 per cent in the fourth year, 15 per cent in the eighth year, and so on, because of rapid depreciation and other deductions permitted in the law.

Mr. Dockser said that in the first year or so the tax shelter was so appealing that many investors put their money in projects where the risks were great. But now, after the high incidence of failures, they are more cautious.

His own company has projects under way across the country, mostly in the suburbs and none in the central cities, except under unusual conditions such as a stable neighborhood or where an entire section is being upgraded.

Essentially, the money is going where the growth is, he said.

There is still great opposition to subsidized projects in the suburbs. Mr. Dockser said, but this is being overcome by better construction and lower rents.

For example, a typical project is in a stable neighborhood of Las Vegas, a city where a high percentage of working people is eligible for housing subsidies because many work for tips and do not report their full income.

"The whites don't want to live in a development with blacks," Mr. Dockser said, "but they will live with a few if they can rent an apartment for \$110 that would cost over \$200 otherwise."

Subsidized housing increasingly is going for families earning between \$6,000 and \$10,000 a year.

"Look what is happening in Baltimore," said M. Jay Brodie, Deputy Commissioner of the Baltimore Department of Community Development.

"A bulldozer looking around for land does not buy here in the central city. He goes out in the suburbs where his investment is more secure and puts up housing that will be mostly for whites."

Most subsidized housing in the suburbs is going for service workers and others on marginal salaries, and many authorities question whether it will ever be open to the central city poor.

Some subsidized housing is being built within the boundaries of the major cities, but usually it is in outlying neighborhoods or in still stable areas in the core of the city. Cities across the country vary widely in the degree and location of decay.

A SOCIAL MISSION

The National Housing Partnership, a private corporation established by Congress to attract new money into subsidized housing, has a social mission and thus is promoting some inner city projects. But an examination of its projects shows that only a

small percentage is in troubled inner city neighborhoods.

Typical of central city projects now being approved by the partnership is one called Battery Park, to be built on filled land on the Lower East Side of Manhattan to serve the financial district, where thousands of workers are demanding moderate-priced housing.

The Government, in approving applications, is now stressing quality over quantity—another factor that will favor the suburbs because that is where the best builders are active.

The new Government guidelines on site selection were drawn up after a series of court rulings against the continued concentrations of the poor and minority groups in the central city. The guidelines give only slight consideration to projects such as city neighborhoods, where concerted efforts at renewal are supposedly under way but where in many cases decay is still rampant.

"What worries us," said a spokesman for the United States Conference of Mayors, "is that in many cities urban renewal is at last beginning to work. Land is cleared for housing and the residents have been promised that it is coming. What are we going to tell them when it doesn't?"

PRESIDENT'S PEACE PLAN

(Mr. FISH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FISH. Mr. Speaker, today I speak in praise of President Nixon's powerful peace initiative announced to the Nation last night.

The terms spelled out in the President's eight-point proposal clearly move us far down the road toward a reasonable base from which to reach a negotiated end to our Vietnam involvement. The announcement of the withdrawal of all American troops, at a date certain dependent only upon reaching an agreement regarding the release of prisoners, should satisfy the North Vietnamese.

The announced plan of the resignation of the Thieu regime 30 days prior to open and free elections, participated in by all parties, indicates a shift in policy from which meaningful negotiations about the political future of South Vietnam could fruitfully spring.

The President's disclosure of our persistent efforts, through secret negotiations, to achieve peace and the release of the POW's is an example of responsible, traditional diplomacy by the executive branch. For those of us who have argued that under the Constitution the primary responsibility for ending this war must rest with the President, our confidence has been confirmed.

I think we should all pray that this good faith proposal is accepted by the other side so that we will soon see an end to this long drawn out and tragic war. Toward this end, I feel the President deserves the full backing of the Congress as he moves to implement the new plan he has announced.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FUQUA (at the request of Mr. Boggs) for today, on account of death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. WHITEHURST) and to revise and extend their remarks and include extraneous matter:)

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. ROBISON of New York, for 10 minutes, today.

Mr. BOW, for 10 minutes, today.

Mr. HALPERN, for 5 minutes, today.

(The following Members (at the request of Mr. DENHOLM) to address the House and to revise and extend their remarks:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. BURKE of Massachusetts, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. TAYLOR and to include extraneous matter during debate on H.R. 6957.

(The following Members (at the request of Mr. WHITEHURST) and to include extraneous matter:)

Mr. ROBISON of New York in two instances.

Mr. PELLY in two instances.

Mr. WHITEHURST.

Mr. DERWINSKI in three instances.

Mr. BAKER.

Mr. TERRY.

Mr. GERALD R. FORD in two instances.

Mr. HUNT in two instances.

Mr. ROUSSELOT in two instances.

Mr. SHRIVER.

Mr. STEIGER of Arizona in two instances.

Mr. ZWACH.

Mr. COLLINS of Texas in three instances.

Mr. HOSMER in two instances.

Mr. ARCHER.

Mr. MALLARY.

Mr. DEVINE.

Mr. THOMPSON of Georgia.

Mr. McKEVITT.

Mr. SCHMITZ in two instances.

Mr. HALPERN.

(The following Members (at the request of Mr. DENHOLM) and to include extraneous matter:)

Mr. DINGELL.

Mrs. GRIFFITHS.

Mr. RARICK in three instances.

Mr. HAGAN in three instances.

Mr. ROGERS in five instances.

Mr. KLUCZYNSKI in two instances.

Mr. PUCINSKI in six instances.

Mr. GIAIMO in two instances.

Mr. HAMILTON.

Mr. HULL.

Mr. FLOOD.

Mr. ALEXANDER in six instances.

Mr. O'NEILL in two instances.

Mr. O'HARA.

Mr. BEVILL.

Mr. HEBERT.

Mr. DRINAN.

Mr. GONZALEZ in three instances.

Mr. KARTH.

Mr. BINGHAM in three instances.
 Mr. HARRINGTON.
 Mr. BRADEMAs in six instances.
 Mr. EDMONDSON in two instances.
 Mr. JAMES V. STANTON in two instances.
 Mr. CASEY of Texas.
 Mr. DANIELSON.

ADJOURNMENT

Mr. DENHOLM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Thursday, January 27, 1972, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1486. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend sections 703(b) of title 10, United States Code, to extend the authority to grant a special 30-day leave for members of the uniformed services who voluntarily extend their tours of duty in hostile fire areas; to the Committee on Armed Services.

1487. A letter from the Attorney General, transmitting a report on Department of Justice enforcement of the Truth in Lending Act, covering calendar year 1971, pursuant to section 114 of Public Law 90-321; to the Committee on Banking and Currency.

1488. A letter from the Chairman, National Advisory Council on Education Professions Development, transmitting a report entitled, "Windows to the Bureaucracy," pursuant to Public Law 90-35; to the Committee on Education and Labor.

1489. A letter from the Secretary, Export-Import Bank of the United States, transmitting a report on the amount of Export-Import Bank loans, insurance, and guarantees, issued in May through October 1971, in connection with U.S. exports to Yugoslavia, pursuant to the Export-Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

1490. A letter from the Secretary of Defense, transmitting the eighth annual report on the Federal voting assistance program, pursuant to the Federal Voting Assistance Act of 1955, as amended; to the Committee on House Administration.

1491. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed amendment to a concession contract authorizing the continued provision of accommodations, facilities, and services for the public within Mount Rainier National Park, Washington, for 1 year ending December 31, 1972, pursuant to 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1492. A letter from the Chairman, Indian Claims Commission, transmitting a report of the final determination of the Commission in docket No. 294, *The Skagit Tribe of Indians, also known as The Lower Skagit Tribe of Indians, also known as Whidbey Island Skagits, Plaintiff v. The United States of America*, Defendant, pursuant to 25 U.S.C. 70(t); to the Committee on Interior and Insular Affairs.

1493. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a draft of proposed legislation to extend the Commission on Civil Rights for 5 years, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes; to the Committee on the Judiciary.

1494. A letter from the Assistant Attorney General for Administration, transmitting a report on positions in grades GS-16, GS-17, and GS-18 in the Department of Justice during 1971, pursuant to 5 U.S.C. 5114(a); to the Committee on Post Office and Civil Service.

1495. A letter from the Librarian of Congress, transmitting a report on positions in grades GS-16, GS-17, and GS-18 in the Congressional Research Service during 1971, pursuant to 5 U.S.C. 5114; to the Committee on Post Office and Civil Service.

1496. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on certain civilian positions established in the Administration under 5 U.S.C. 3104(a) (8), pursuant to section 3104(c); to the Committee on Post Office and Civil Service.

1497. A letter from the Director, National Science Foundation, transmitting a draft of proposed legislation to authorize appropriations for the National Science Foundation for the fiscal year 1973; to the Committee on Science and Astronautics.

1498. A letter from the Chairman, U.S. Atomic Energy Commission, transmitting a draft of proposed legislation to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 12089. A bill to establish a Special Action Office for Drug Abuse Prevention and to concentrate the resources of the Nation against the problem of drug abuse; with amendments (Rept. No. 92-775). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 12640. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Tennessee:

H.R. 12641. A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the Senate and House of Representatives may approve the President's action or require the President to cease such action; to the Committee on Rules.

By Mr. ANNUNZIO:

H.R. 12642. A bill to amend the Vocational Rehabilitation Act in order to extend and improve rehabilitation services for severely handicapped individuals, and for other purposes; to the Committee on Education and Labor.

By Mr. BARING:

H.R. 12643. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for transportation expenses of certain individuals employed at remote Federal installations; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 12644. A bill to amend the Vocational Rehabilitation Act to provide special

services, artificial kidneys, and supplies necessary for the treatment of individuals suffering from end stage renal disease; to the Committee on Education and Labor.

By Mr. BINGHAM:

H.R. 12645. A bill governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress; to the Committee on Foreign Affairs.

By Mr. BINGHAM (for himself, Mr. BRADEMAs, and Mr. ROONEY of Pennsylvania):

H.R. 12646. A bill directing the Federal Communications Commission to investigate the rate base and structure of the American Telephone & Telegraph Co. and its subsidiaries; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRON:

H.R. 12647. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 12648. A bill to protect collectors of antique glassware against the manufacture in the United States or the importation of imitations of such glassware; to the Committee on Interstate and Foreign Commerce.

H.R. 12649. A bill to provide for the establishment of a national cemetery in the State of Maryland; to the Committee on Veterans' Affairs.

By Mr. CASEY of Texas:

H.R. 12650. A bill to amend section 451 of the Tariff Act of 1930 so as to exempt certain private aircraft arriving or departing on flights between the United States and Canada or the United States and Mexico at night or on Sunday or a holiday from provisions requiring payment to the United States for overtime services of customs officers and employees and to treat snowmobiles as highway vehicles for the purposes of such section; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 12651. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER (for himself and Mr. McCULLOCH):

H.R. 12652. A bill to extend the Commission on Civil Rights for 5 years, to expand the jurisdiction of the Commission to include discrimination because of sex, to authorize appropriations for the Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLINS of Texas:

H.R. 12653. A bill to provide that Federal expenditures shall not exceed Federal revenues except in time of war or grave national emergency declared by the Congress; to the Committee on Government and Operations.

By Mr. COTTER:

H.R. 12654. A bill to amend the Federal-Aid Highway Act of 1956, as amended; to the Committee on Public Works.

By Mr. DOW:

H.R. 12655. A bill to establish a commission to investigate and study the practice of clearcutting of timber resources of the United States on Federal lands; to the Committee on Interior and Insular Affairs.

H.R. 12656. A bill to amend title XVII of the Social Security Act to provide financial assistance to individuals suffering from chronic kidney disease who are unable to pay the costs of necessary treatment, and to authorize project grants to increase the availability and effectiveness of such treatment; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 12657. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be

deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. FREY:

H.R. 12658. A bill to establish a structure that will provide integrated knowledge and understanding of the ecological, social, and technological problems associated with air pollution, water pollution, solid-waste disposal, general pollution, and degradation of the environment, and other related problems; to the Committee on Science and Astronautics.

By Mr. HEINZ:

H.R. 12659. A bill to provide a program to improve the opportunity of students in elementary and secondary schools to study cultural heritages of the major ethnic groups in the Nation; to the Committee on Education and Labor.

By Mrs. HICKS of Massachusetts:

H.R. 12660. A bill to amend the Internal Revenue Code of 1954 to provide that the retirement benefits available to self-employed individuals shall be available to women who are able to put part of their household allowances into savings; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 12661. A bill to amend the Lead-Based Paint Poisoning Prevention Act; to the Committee on Banking and Currency.

By Mr. HUTCHINSON:

H.R. 12662. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of North Carolina (for himself, Mr. FOUNTAIN, Mr. TAYLOR, Mr. PREYER of North Carolina, Mr. GALIFIANAKIS, Mr. HENDERSON, Mr. LENNON, Mr. RUTH, Mr. JONAS, Mr. MIZELL, and Mr. BROYHILL of North Carolina):

H.R. 12663. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCH:

H.R. 12664. A bill to approve and authorize amnesty or mitigation of punishment for certain persons who have illegally manifested their disapproval of U.S. participation in the Southeast Asia war; and to provide for restoration of civil and political rights that have been lost or impaired by reason of such illegal acts, and for other purposes; to the Committee on the Judiciary.

By Mr. PEPPER:

H.R. 12665. A bill to amend the age and service requirements for immediate retirement under subchapter III of chapter 83 of title 5, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS:

H.R. 12666. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

H.R. 12667. A bill to provide for a 15-percent increase in the rates of pension paid to veterans of the Civil, Indian, and Spanish-American Wars, to the widows and children of such veterans, and to "old law" pensioners; to the Committee on Veterans' Affairs.

By Mr. PEYSER:

H.R. 12668. A bill to amend title 28 of the United States Code to exempt volunteer firemen from Federal jury duty; to the Committee on the Judiciary.

H.R. 12669. A bill to amend the Internal Revenue Code of 1954 to allow a deduction to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords; to the Committee on Ways and Means.

By Mr. PURCELL:

H.R. 12670. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. RIEGLE (for himself, Mr. ROSENTHAL, Mr. SARBANES, Mr. STEIGER of Wisconsin, Mr. STOKES, and Mr. WHALEN):

H.R. 12671. A bill to promote development and expansion of community schools throughout the United States; to the Committee on Education and Labor.

By Mr. SCOTT:

H.R. 12672. A bill to amend title 38, United States Code, in order to permit certain veterans up to 9 months of educational assistance for the purpose of pursuing retraining or refresher courses; to the Committee on Veterans' Affairs.

By Mr. JAMES V. STANTON (for himself and Mr. COLLIER):

H.R. 12673. A bill to provide for greater and more efficient Federal financial assistance to certain large cities with a high incidence of crime, and for other purposes; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (for himself, Mr. BARING, Mr. CARNEY, Mr. DANIELSON, Mr. DORN, Mr. DULSKI, Mr. EDWARDS of California, Mr. GRASSO, Mr. HALEY, Mr. HAMMERSCHMIDT, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mrs. HICKS of Massachusetts, Mr. HILLIS, Mr. MONTGOMERY, Mr. PUCINSKI, Mr. ROBERTS, Mr. SATTERFIELD, Mr. SAYLOR, Mr. SCOTT, Mr. TEAGUE of California, Mr. WINN, Mr. WOLFF, Mr. WYLLIE, and Mr. ZWACH):

H.R. 12674. A bill to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of Georgia:

H.R. 12675. A bill to amend the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

H.R. 12676. A bill to amend title 5, United States Code, to require the heads of the respective executive agencies to provide the Congress with advance notice of certain planned organizational and other changes or actions which would affect Federal civilian employment, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THONE (for himself, Mr. ALEXANDER, Mr. ANDERSON of Illinois, Mr. ANDREWS, Mr. ARCHER, Mr. BAKER, Mr. BLACKBURN, Mr. BRINKLEY, Mr. BROYHILL of North Carolina, Mr. BUCHANAN, Mr. BURKE of Florida, Mr. CEDERBERG, Mr. DEL CLAWSON, Mr. CLEVELAND, Mr. COLLIER, Mr. DANIEL of Virginia, Mr. DAVIS of Georgia, Mr. DAVIS of South Carolina, Mr. DEVINE, Mr. DORN, Mr. EDWARDS of Alabama, Mr. ESHLEMAN, Mr. FINDLEY, Mr. FISHER, and Mr. FLOWERS):

H.R. 12677. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. THONE (for himself, Mr. FLYNT, Mr. FORSYTHE, Mr. FUQUA, Mr. GONZALEZ, Mr. GOODLING, Mr. GUBSER, Mr. HALPERN, Mr. HAMMERSCHMIDT, Mr. HASTINGS, Mr. HELSTOSKI, Mr. HICKS of Washington, Mrs. HICKS of Massachusetts, Mr. HILLIS, Mr. HUNT, Mr. ICHORD, Mr. JONES of Tennessee, Mr. JONES of North Carolina, Mr. KEMP, Mr. KING, Mr. LANDGREBE, Mr. MCCOLLISTER, Mr. MALLARY, Mr. MANN, and Mr. MATHIS of Georgia):

H.R. 12678. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. THONE (for himself, Mr. MELCHER, Mr. MICHEL, Mr. MORSE, Mr. NICHOLS, Mr. PREYER of North Carolina, Mr. RAILSBACK, Mr. RARICK, Mr. RHODES, Mr. ROBINSON of Virginia, Mr. ROE, Mr. SANDMAN, Mr. SATTERFIELD, Mr. SCHEERLE, Mr. SCHMITZ, Mr. SEBELIUS, Mr. SHRIVER, Mr. SIKES, Mr. SNYDER, Mr. SPENCE, Mr. WAGGONNER, Mr. WARE, Mr. WILLIAMS, Mr. BOB WILSON, and Mr. WINN):

H.R. 12679. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. THONE (for himself, Mr. McCURE, Mr. WYDLER, and Mr. TERRY):

H.R. 12680. A bill to amend the Occupational Safety and Health Act of 1970 to require the Secretary of Labor to recognize the difference in hazards to employees between the heavy construction industry and the light residential construction industry; to the Committee on Education and Labor.

By Mr. THONE:

H.R. 12681. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. WHALEN (for himself, Mrs. DWYER, Mr. KASTENMEIER, and Mr. KYROS):

H.R. 12682. A bill to authorize the President, through the temporary Vietnam Children's Care Agency, to enter into arrangements with the Government of South Vietnam to provide assistance in improving the welfare of children in South Vietnam and to facilitate the adoption of orphaned or abandoned Vietnamese children, particularly children of U.S. fathers; to the Committee on Foreign Affairs.

By Mr. WYMAN:

H.R. 12683. A bill to limit contributions by the United States to the annual budget of the United Nations; to the Committee on Foreign Affairs.

By Mr. PEYSER:

H.J. Res. 1028. Joint resolution authorizing the President to proclaim the period April 17 through April 22, 1972, as "School Bus Safety Week"; to the Committee on the Judiciary.

By Mr. PRYOR of Arkansas:

H.J. Res. 1029. Joint resolution to authorize the President to issue annually a proclamation designating the monthly of May in each year as "National Arthritis Month"; to the Committee on the Judiciary.

By Mr. ULLMAN (for himself, Mr. FOLEY, Mr. HANSEN of Idaho, Mr. McCURE, and Mr. MCCORMACK):

H.J. Res. 1030. Joint resolution to provide a procedure for settlement of the dispute on the Pacific coast and Hawaii among certain shippers and associated employers and certain employees; to the Committee on Education and Labor.

By Mr. FINDLEY:

H. Con. Res. 506. Concurrent resolution urging review of the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. KING:

H. Con. Res. 507. Concurrent resolution to relieve the suppression of Soviet Jewry; to the Committee on Foreign Affairs.

H. Con. Res. 508. Concurrent resolution urging review of the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. McCLORY:

H. Con. Res. 509. Concurrent resolution commending the President of the United States on his diligent efforts to achieve peace in Indochina and declaring it the sense of Congress that the President be supported and encouraged by Congress and the American people to continue withdrawing American forces from Indochina and to continue his efforts to bring peace to that part of the world; to the Committee on Foreign Affairs.

By Mr. SCHWENGEL:

H. Con. Res. 510. Concurrent resolution providing that the Chief Justice of the United States be invited to address a joint session of Congress on the state of the judiciary; to the Committee on Rules.

By Mr. WIDNALL:

H. Con. Res. 511. Concurrent resolution urging the review of the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. WYMAN:

H. Con. Res. 512. Concurrent resolution expressing the sense of the Congress with respect to a method of determining the liability of each member state of the United Nations for contributions to the annual budget of the United Nations and the manner in which the vote of each member state in the General Assembly of the United Nations should be weighted; to the Committee on Foreign Affairs.

By Mr. JACOBS:

H. Res. 776. Resolution printing in red ink of any U.S. Government budget submitted to the Congress which on a Federal funds basis is in deficit; to the Committee on House Administration.

By Mr. LONG of Maryland:

H. Res. 777. Resolution designating January 22 of each year as "Ukrainian Independence Day"; to the Committee on the Judiciary.

By Mr. PEYSER:

H. Res. 778. Resolution commending the

President for his efforts to bring about a fair and honorable end to the war in Southeast Asia, and endorsing his most recent proposals for peace as stated on January 25, 1972; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CONTE:

H.R. 12684. A bill for the relief of the Brown Co.; to the Committee on the Judiciary.

By Mr. HOGAN:

H.R. 12685. A bill for the relief of Luther V. Winstead; to the Committee on the Judiciary.

By Mr. POAGE:

H.R. 12686. A bill for the relief of Sam Goldenberg, Jr.; to the Committee on the Judiciary.

SENATE—Wednesday, January 26, 1972

The Senate met at 9:45 a.m. and was called to order by Hon. FRANK E. MOSS, a Senator from the State of Utah.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we lift our hearts to Thee this day in reverent thanksgiving for Thy servant Carl Trumbull Hayden. We thank Thee for his steadfast devotion to the welfare of his State and Nation, for his quiet strength, his unflinching courtesy, his integrity, his wisdom, and his faith in Thee. Make us to rejoice that he walked with us and we with him in paths of service. May his gentle but strong qualities of faithfulness and goodness abide in us and we abide in Thee forever. Amen.

DESIGNATION OF THE ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. ELLENDER).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., January 26, 1972.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. FRANK E. MOSS, a Senator from the State of Utah, to perform the duties of the Chair during my absence.

ALLEN J. ELLENDER,
President pro tempore.

Mr. MOSS thereupon took the chair as Acting President pro tempore.

ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore (Mr. MOSS) announced that, pursuant to the order of the Senate of January 25, 1972, the Vice President, on January 25, 1972, signed the enrolled bill (S. 382) to promote fair practices in the

conduct of election campaigns for Federal political offices, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, January 25, 1972, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE— ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 2819) to amend the Foreign Assistance Act of 1961, and for other purposes.

The Vice President subsequently signed the enrolled bill.

ATTENDANCE OF SENATORS

Hon. VANCE HARTKE, a Senator from the State of Indiana, Hon. THOMAS J. MCINTYRE, a Senator from the State of New Hampshire, Hon. CHARLES H. PERCY, a Senator from the State of Illinois, and Hon. JOHN SPARKMAN, a Senator from the State of Alabama, attended the session of the Senate today.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on the time allotted to the joint leadership, I yield at this time to the distinguished Senator from Arizona (Mr. GOLDWATER).

DEATH OF FORMER SENATOR CARL T. HAYDEN

Mr. GOLDWATER. Mr. President, this morning I wish to join with my senior colleague, Senator FANNIN, in announcing the death last evening of former U.S. Senator Carl Hayden of Arizona.

At a future date, I will place in the RECORD an extended eulogy of this unusual man. At this time, I merely want to say that we have lost a public servant who served his State and his Nation longer than any other man in history. For more than half a century Carl Hayden served in the Halls of Congress representing the great State of Arizona in a fitting and proud fashion. The passing of Carl Hayden is also a personal loss to me. His family and mine have been friends since before Arizona was a territory, and it is with heavy heart that I travel today to attend his funeral in Arizona.

Mr. President, I send to the desk in behalf of Senator FANNIN and myself, two resolutions prepared in tribute to Carl Hayden. One would provide for the renaming of the central Arizona project as the Carl Hayden project, and the other would provide for the placing of a bust of the late Senator Hayden in a proper place within the Capitol or within either of the Senate Office Buildings.

The ACTING PRESIDENT pro tempore. The resolutions will be received and appropriately referred.

LEAVE OF ABSENCE

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may be absent from the Senate after this morning until Monday next, for the purpose of attending the funeral of Carl Hayden and, on a happier note, attending the marriage of my older daughter.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SAXBE. Mr. President, I yield my time as acting minority leader to the Senator from Arizona (Mr. FANNIN).

Mr. FANNIN. Mr. President, it was with great sadness that I received the report of the death of our former col-